

# EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES



**Collected texts**  
2nd edition

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

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Council of Europe

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# Introduction

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**S**afeguarding Europe's linguistic heritage upholds the Council of Europe's principles and works toward the objective of protecting human rights, the rule of law and democracy. In order to actively promote the use of regional or minority languages in education, justice systems, administration, media, culture, economic and social life and cross-border co-operation, the Council of Europe adopted the European Charter for Regional or Minority Languages (ETS No. 148, the Charter) in 1992.

This convention, which is unique on the worldwide legal scene, came into force in 1998 and applies to 79 regional or minority languages in 25 Council of Europe member states. The Charter requires its states parties to take active promotional measures for the benefit of regional or minority languages. The Council of Europe ensures that the Charter is implemented in practice and regularly monitors the implementation of the commitments made by the states parties.

The success of the monitoring mechanism set up by the Charter and the role played by the speakers of regional or minority languages and their representative associations depend, among other things, on knowledge of the rules governing the functioning of the Charter. The purpose of this compendium is to provide easy access to the fundamental texts relating to the Charter for all stakeholders: governmental experts and decision makers, representatives of the speakers of minority or regional languages, non-governmental organisations, researchers, sociolinguistics and others interested in languages.

This publication contains the text of the Charter and its explanatory report, the various decisions of the Committee of Ministers of the Council of Europe concerning the modalities of monitoring the application of the Charter by its states parties, as well as the Rules of Procedure of the Committee of Experts of the Charter, which assesses the conformity of state policies and practices with the commitments undertaken. Finally, the publication presents the state of signatures and ratifications and the reservations and declarations made by states parties.

In addition to the texts in this compendium, other public documents relating to the Charter are available online on a public website. These include the periodical reports submitted by states parties, the evaluation reports of all commitments made by each state party and the evaluations of the implementation of the recommendations for immediate action by the Committee of Experts. These documents exist in English and French, the official languages of the Council of Europe, and often in the official languages of the states parties. The recommendations addressed to states parties by the Committee of Ministers during each monitoring cycle are also available on the Committee of Ministers' website.

For further information, please consult the Council of Europe's website on regional or minority languages: [www.coe.int/en/web/european-charter-regional-or-minority-languages/home](http://www.coe.int/en/web/european-charter-regional-or-minority-languages/home) or contact the secretariat of the European Charter for Regional or Minority Languages ([minlang.secretariat@coe.int](mailto:minlang.secretariat@coe.int)).

Directorate of Anti-Discrimination  
Anti-Discrimination Department  
Division of National Minorities and Minority Languages  
Strasbourg, May 2021

# European Charter for Regional or Minority Languages

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*Strasbourg, 5.XI.1992*

The member States of the Council of Europe signatory hereto,

Considering that the aim of the Council of Europe is to achieve a greater unity between its members, particularly for the purpose of safeguarding and realising the ideals and principles which are their common heritage;

Considering that the protection of the historical regional or minority languages of Europe, some of which are in danger of eventual extinction, contributes to the maintenance and development of Europe's cultural wealth and traditions;

Considering that the right to use a regional or minority language in private and public life is an inalienable right conforming to the principles embodied in the United Nations International Covenant on Civil and Political Rights, and according to the spirit of the Council of Europe Convention for the Protection of Human Rights and Fundamental Freedoms;

Having regard to the work carried out within the CSCE and in particular to the Helsinki Final Act of 1975 and the document of the Copenhagen Meeting of 1990;

Stressing the value of interculturalism and multilingualism and considering that the protection and encouragement of regional or minority languages should not be to the detriment of the official languages and the need to learn them;

Realising that the protection and promotion of regional or minority languages in the different countries and regions of Europe represent an important contribution to the building of a Europe based on the principles of democracy

and cultural diversity within the framework of national sovereignty and territorial integrity;

Taking into consideration the specific conditions and historical traditions in the different regions of the European States,

Have agreed as follows:

## **PART I**

### **GENERAL PROVISIONS**

#### **Article 1 – Definitions**

For the purposes of this Charter:

- a. «regional or minority languages» means languages that are:
  - i. traditionally used within a given territory of a State by nationals of that State who form a group numerically smaller than the rest of the State's population; and
  - ii. different from the official language(s) of that State;it does not include either dialects of the official language(s) of the State or the languages of migrants;
- b. «territory in which the regional or minority language is used» means the geographical area in which the said language is the mode of expression of a number of people justifying the adoption of the various protective and promotional measures provided for in this Charter;
- c. «non-territorial languages» means languages used by nationals of the State which differ from the language or languages used by the rest of the State's population but which, although traditionally used within the territory of the State, cannot be identified with a particular area thereof.

#### **Article 2 – Undertakings**

1. Each Party undertakes to apply the provisions of Part II to all the regional or minority languages spoken within its territory and which comply with the definition in Article 1.

2. In respect of each language specified at the time of ratification, acceptance or approval, in accordance with Article 3, each Party undertakes to apply a minimum of thirty-five paragraphs or sub-paragraphs chosen from among the provisions of Part III of the Charter, including at least three chosen from each of the Articles 8 and 12 and one from each of the Articles 9, 10, 11 and 13.

### **Article 3 – Practical arrangements**

1. Each Contracting State shall specify in its instrument of ratification, acceptance or approval, each regional or minority language, or official language which is less widely used on the whole or part of its territory, to which the paragraphs chosen in accordance with Article 2, paragraph 2, shall apply.
2. Any Party may, at any subsequent time, notify the Secretary General that it accepts the obligations arising out of the provisions of any other paragraph of the Charter not already specified in its instrument of ratification, acceptance or approval, or that it will apply paragraph 1 of the present article to other regional or minority languages, or to other official languages which are less widely used on the whole or part of its territory.
3. The undertakings referred to in the foregoing paragraph shall be deemed to form an integral part of the ratification, acceptance or approval and will have the same effect as from their date of notification.

### **Article 4 – Existing regimes of protection**

1. Nothing in this Charter shall be construed as limiting or derogating from any of the rights guaranteed by the European Convention on Human Rights.
2. The provisions of this Charter shall not affect any more favourable provisions concerning the status of regional or minority languages, or the legal regime of persons belonging to minorities which may exist in a Party or are provided for by relevant bilateral or multilateral international agreements.

### **Article 5 – Existing obligations**

Nothing in this Charter may be interpreted as implying any right to engage in any activity or perform any action in contravention of the purposes of the

Charter of the United Nations or other obligations under international law, including the principle of the sovereignty and territorial integrity of States.

## **Article 6 – Information**

The Parties undertake to see to it that the authorities, organisations and persons concerned are informed of the rights and duties established by this Charter.

### **PART II**

## **OBJECTIVES AND PRINCIPLES PURSUED IN ACCORDANCE WITH ARTICLE 2, PARAGRAPH 1**

### **Article 7 – Objectives and principles**

1. In respect of regional or minority languages, within the territories in which such languages are used and according to the situation of each language, the Parties shall base their policies, legislation and practice on the following objectives and principles:
  - a. the recognition of the regional or minority languages as an expression of cultural wealth;
  - b. the respect of the geographical area of each regional or minority language in order to ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of the regional or minority language in question;
  - c. the need for resolute action to promote regional or minority languages in order to safeguard them;
  - d. the facilitation and/or encouragement of the use of regional or minority languages, in speech and writing, in public and private life;
  - e. the maintenance and development of links, in the fields covered by this Charter, between groups using a regional or minority language and other groups in the State employing a language used in identical or similar form, as well as the establishment of cultural relations with other groups in the State using different languages;
  - f. the provision of appropriate forms and means for the teaching and study of regional or minority languages at all appropriate stages;

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- g. the provision of facilities enabling non-speakers of a regional or minority language living in the area where it is used to learn it if they so desire;
      - h. the promotion of study and research on regional or minority languages at universities or equivalent institutions;
      - i. the promotion of appropriate types of transnational exchanges, in the fields covered by this Charter, for regional or minority languages used in identical or similar form in two or more States.
  2. The Parties undertake to eliminate, if they have not yet done so, any unjustified distinction, exclusion, restriction or preference relating to the use of a regional or minority language and intended to discourage or endanger the maintenance or development of it. The adoption of special measures in favour of regional or minority languages aimed at promoting equality between the users of these languages and the rest of the population or which take due account of their specific conditions is not considered to be an act of discrimination against the users of more widely-used languages.
  3. The Parties undertake to promote, by appropriate measures, mutual understanding between all the linguistic groups of the country and in particular the inclusion of respect, understanding and tolerance in relation to regional or minority languages among the objectives of education and training provided within their countries and encouragement of the mass media to pursue the same objective.
  4. In determining their policy with regard to regional or minority languages, the Parties shall take into consideration the needs and wishes expressed by the groups which use such languages. They are encouraged to establish bodies, if necessary, for the purpose of advising the authorities on all matters pertaining to regional or minority languages.
  5. The Parties undertake to apply, *mutatis mutandis*, the principles listed in paragraphs 1 to 4 above to non-territorial languages. However, as far as these languages are concerned, the nature and scope of the measures to be taken to give effect to this Charter shall be determined in a flexible manner, bearing in mind the needs and wishes, and respecting the traditions and characteristics, of the groups which use the languages concerned.

## **PART III**

# **MEASURES TO PROMOTE THE USE OF REGIONAL OR MINORITY LANGUAGES IN PUBLIC LIFE IN ACCORDANCE WITH THE UNDERTAKINGS ENTERED INTO UNDER ARTICLE 2, PARAGRAPH 2**

## **Article 8 – Education**

1. With regard to education, the Parties undertake, within the territory in which such languages are used, according to the situation of each of these languages, and without prejudice to the teaching of the official language(s) of the State:
  - a.
    - i. to make available pre-school education in the relevant regional or minority languages; or
    - ii. to make available a substantial part of pre-school education in the relevant regional or minority languages; or
    - iii. to apply one of the measures provided for under i and ii above at least to those pupils whose families so request and whose number is considered sufficient; or
    - iv. if the public authorities have no direct competence in the field of pre-school education, to favour and/or encourage the application of the measures referred to under i to iii above;
  - b.
    - i. to make available primary education in the relevant regional or minority languages; or
    - ii. to make available a substantial part of primary education in the relevant regional or minority languages; or
    - iii. to provide, within primary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or
    - iv. to apply one of the measures provided for under i to iii above at least to those pupils whose families so request and whose number is considered sufficient;
  - c.
    - i. to make available secondary education in the relevant regional or minority languages; or

- 
- ii. to make available a substantial part of secondary education in the relevant regional or minority languages; or
  - iii. to provide, within secondary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or
  - iv. to apply one of the measures provided for under i to iii above at least to those pupils who, or where appropriate whose families, so wish in a number considered sufficient;
- d.
- i. to make available technical and vocational education in the relevant regional or minority languages; or
  - ii. to make available a substantial part of technical and vocational education in the relevant regional or minority languages; or
  - iii. to provide, within technical and vocational education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or
  - iv. to apply one of the measures provided for under i to iii above at least to those pupils who, or where appropriate whose families, so wish in a number considered sufficient;
- e.
- i. to make available university and other higher education in regional or minority languages; or
  - ii. to provide facilities for the study of these languages as university and higher education subjects; or
  - iii. if, by reason of the role of the State in relation to higher education institutions, sub-paragraphs i and ii cannot be applied, to encourage and/or allow the provision of university or other forms of higher education in regional or minority languages or of facilities for the study of these languages as university or higher education subjects;
- f.
- i. to arrange for the provision of adult and continuing education courses which are taught mainly or wholly in the regional or minority languages; or
  - ii. to offer such languages as subjects of adult and continuing education; or

- iii. if the public authorities have no direct competence in the field of adult education, to favour and/or encourage the offering of such languages as subjects of adult and continuing education;
  - g. to make arrangements to ensure the teaching of the history and the culture which is reflected by the regional or minority language;
  - h. to provide the basic and further training of the teachers required to implement those of paragraphs a to g accepted by the Party;
  - i. to set up a supervisory body or bodies responsible for monitoring the measures taken and progress achieved in establishing or developing the teaching of regional or minority languages and for drawing up periodic reports of their findings, which will be made public.
2. With regard to education and in respect of territories other than those in which the regional or minority languages are traditionally used, the Parties undertake, if the number of users of a regional or minority language justifies it, to allow, encourage or provide teaching in or of the regional or minority language at all the appropriate stages of education.

## **Article 9 – Judicial authorities**

1. The Parties undertake, in respect of those judicial districts in which the number of residents using the regional or minority languages justifies the measures specified below, according to the situation of each of these languages and on condition that the use of the facilities afforded by the present paragraph is not considered by the judge to hamper the proper administration of justice:
- a. in criminal proceedings:
    - i. to provide that the courts, at the request of one of the parties, shall conduct the proceedings in the regional or minority languages; and/or
    - ii. to guarantee the accused the right to use his/her regional or minority language; and/or
    - iii. to provide that requests and evidence, whether written or oral, shall not be considered inadmissible solely because they are formulated in a regional or minority language; and/or
    - iv. to produce, on request, documents connected with legal proceedings in the relevant regional or minority language,

- if necessary by the use of interpreters and translations involving no extra expense for the persons concerned;
  - b. in civil proceedings:
    - i. to provide that the courts, at the request of one of the parties, shall conduct the proceedings in the regional or minority languages; and/or
    - ii. to allow, whenever a litigant has to appear in person before a court, that he or she may use his or her regional or minority language without thereby incurring additional expense; and/or
    - iii. to allow documents and evidence to be produced in the regional or minority languages,  
if necessary by the use of interpreters and translations;
  - c. in proceedings before courts concerning administrative matters:
    - i. to provide that the courts, at the request of one of the parties, shall conduct the proceedings in the regional or minority languages; and/or
    - ii. to allow, whenever a litigant has to appear in person before a court, that he or she may use his or her regional or minority language without thereby incurring additional expense; and/or
    - iii. to allow documents and evidence to be produced in the regional or minority languages,  
if necessary by the use of interpreters and translations;
  - d. to take steps to ensure that the application of sub-paragraphs i and iii of paragraphs b and c above and any necessary use of interpreters and translations does not involve extra expense for the persons concerned.
2. The Parties undertake:
- a. not to deny the validity of legal documents drawn up within the State solely because they are drafted in a regional or minority language; or
  - b. not to deny the validity, as between the parties, of legal documents drawn up within the country solely because they are drafted in a regional or minority language, and to provide that they can be invoked

- against interested third parties who are not users of these languages on condition that the contents of the document are made known to them by the person(s) who invoke(s) it; or
- c. not to deny the validity, as between the parties, of legal documents drawn up within the country solely because they are drafted in a regional or minority language.
3. The Parties undertake to make available in the regional or minority languages the most important national statutory texts and those relating particularly to users of these languages, unless they are otherwise provided.

## **Article 10 – Administrative authorities and public services**

1. Within the administrative districts of the State in which the number of residents who are users of regional or minority languages justifies the measures specified below and according to the situation of each language, the Parties undertake, as far as this is reasonably possible:
  - a.
    - i. to ensure that the administrative authorities use the regional or minority languages; or
    - ii. to ensure that such of their officers as are in contact with the public use the regional or minority languages in their relations with persons applying to them in these languages; or
    - iii. to ensure that users of regional or minority languages may submit oral or written applications and receive a reply in these languages; or
    - iv. to ensure that users of regional or minority languages may submit oral or written applications in these languages; or
    - v. to ensure that users of regional or minority languages may validly submit a document in these languages;
  - b. to make available widely used administrative texts and forms for the population in the regional or minority languages or in bilingual versions;
  - c. to allow the administrative authorities to draft documents in a regional or minority language.

- 
2. In respect of the local and regional authorities on whose territory the number of residents who are users of regional or minority languages is such as to justify the measures specified below, the Parties undertake to allow and/or encourage:
    - a. the use of regional or minority languages within the framework of the regional or local authority;
    - b. the possibility for users of regional or minority languages to submit oral or written applications in these languages;
    - c. the publication by regional authorities of their official documents also in the relevant regional or minority languages;
    - d. the publication by local authorities of their official documents also in the relevant regional or minority languages;
    - e. the use by regional authorities of regional or minority languages in debates in their assemblies, without excluding, however, the use of the official language(s) of the State;
    - f. the use by local authorities of regional or minority languages in debates in their assemblies, without excluding, however, the use of the official language(s) of the State;
    - g. the use or adoption, if necessary in conjunction with the name in the official language(s), of traditional and correct forms of place-names in regional or minority languages.
  3. With regard to public services provided by the administrative authorities or other persons acting on their behalf, the Parties undertake, within the territory in which regional or minority languages are used, in accordance with the situation of each language and as far as this is reasonably possible:
    - a. to ensure that the regional or minority languages are used in the provision of the service; or
    - b. to allow users of regional or minority languages to submit a request and receive a reply in these languages; or
    - c. to allow users of regional or minority languages to submit a request in these languages.

4. With a view to putting into effect those provisions of paragraphs 1, 2 and 3 accepted by them, the Parties undertake to take one or more of the following measures:
  - a. translation or interpretation as may be required;
  - b. recruitment and, where necessary, training of the officials and other public service employees required;
  - c. compliance as far as possible with requests from public service employees having a knowledge of a regional or minority language to be appointed in the territory in which that language is used.
5. The Parties undertake to allow the use or adoption of family names in the regional or minority languages, at the request of those concerned.

## **Article 11 – Media**

1. The Parties undertake, for the users of the regional or minority languages within the territories in which those languages are spoken, according to the situation of each language, to the extent that the public authorities, directly or indirectly, are competent, have power or play a role in this field, and respecting the principle of the independence and autonomy of the media:
  - a. to the extent that radio and television carry out a public service mission:
    - i. to ensure the creation of at least one radio station and one television channel in the regional or minority languages; or
    - ii. to encourage and/or facilitate the creation of at least one radio station and one television channel in the regional or minority languages; or
    - iii. to make adequate provision so that broadcasters offer programmes in the regional or minority languages;
  - b.
    - i. to encourage and/or facilitate the creation of at least one radio station in the regional or minority languages; or
    - ii. to encourage and/or facilitate the broadcasting of radio programmes in the regional or minority languages on a regular basis;
  - c.
    - i. to encourage and/or facilitate the creation of at least one television channel in the regional or minority languages; or

- 
- ii. to encourage and/or facilitate the broadcasting of television programmes in the regional or minority languages on a regular basis;
    - d. to encourage and/or facilitate the production and distribution of audio and audiovisual works in the regional or minority languages;
    - e.
      - i. to encourage and/or facilitate the creation and/or maintenance of at least one newspaper in the regional or minority languages; or
      - ii. to encourage and/or facilitate the publication of newspaper articles in the regional or minority languages on a regular basis;
    - f.
      - i. to cover the additional costs of those media which use regional or minority languages, wherever the law provides for financial assistance in general for the media; or
      - ii. to apply existing measures for financial assistance also to audio-visual productions in the regional or minority languages;
    - g. to support the training of journalists and other staff for media using regional or minority languages.
  2. The Parties undertake to guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in a language used in identical or similar form to a regional or minority language, and not to oppose the retransmission of radio and television broadcasts from neighbouring countries in such a language. They further undertake to ensure that no restrictions will be placed on the freedom of expression and free circulation of information in the written press in a language used in identical or similar form to a regional or minority language. The exercise of the above-mentioned freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.
  3. The Parties undertake to ensure that the interests of the users of regional or minority languages are represented or taken into account within such

bodies as may be established in accordance with the law with responsibility for guaranteeing the freedom and pluralism of the media.

## **Article 12 – Cultural activities and facilities**

1. With regard to cultural activities and facilities – especially libraries, video libraries, cultural centres, museums, archives, academies, theatres and cinemas, as well as literary work and film production, vernacular forms of cultural expression, festivals and the culture industries, including *inter alia* the use of new technologies – the Parties undertake, within the territory in which such languages are used and to the extent that the public authorities are competent, have power or play a role in this field:
  - a. to encourage types of expression and initiative specific to regional or minority languages and foster the different means of access to works produced in these languages;
  - b. to foster the different means of access in other languages to works produced in regional or minority languages by aiding and developing translation, dubbing, post-synchronisation and subtitling activities;
  - c. to foster access in regional or minority languages to works produced in other languages by aiding and developing translation, dubbing, post-synchronisation and subtitling activities;
  - d. to ensure that the bodies responsible for organising or supporting cultural activities of various kinds make appropriate allowance for incorporating the knowledge and use of regional or minority languages and cultures in the undertakings which they initiate or for which they provide backing;
  - e. to promote measures to ensure that the bodies responsible for organising or supporting cultural activities have at their disposal staff who have a full command of the regional or minority language concerned, as well as of the language(s) of the rest of the population;
  - f. to encourage direct participation by representatives of the users of a given regional or minority language in providing facilities and planning cultural activities;

- 
- g. to encourage and/or facilitate the creation of a body or bodies responsible for collecting, keeping a copy of and presenting or publishing works produced in the regional or minority languages;
      - h. if necessary, to create and/or promote and finance translation and terminological research services, particularly with a view to maintaining and developing appropriate administrative, commercial, economic, social, technical or legal terminology in each regional or minority language.
    2. In respect of territories other than those in which the regional or minority languages are traditionally used, the Parties undertake, if the number of users of a regional or minority language justifies it, to allow, encourage and/or provide appropriate cultural activities and facilities in accordance with the preceding paragraph.
    3. The Parties undertake to make appropriate provision, in pursuing their cultural policy abroad, for regional or minority languages and the cultures they reflect.

## **Article 13 – Economic and social life**

1. With regard to economic and social activities, the Parties undertake, within the whole country:
  - a. to eliminate from their legislation any provision prohibiting or limiting without justifiable reasons the use of regional or minority languages in documents relating to economic or social life, particularly contracts of employment, and in technical documents such as instructions for the use of products or installations;
  - b. to prohibit the insertion in internal regulations of companies and private documents of any clauses excluding or restricting the use of regional or minority languages, at least between users of the same language;
  - c. to oppose practices designed to discourage the use of regional or minority languages in connection with economic or social activities;
  - d. to facilitate and/or encourage the use of regional or minority languages by means other than those specified in the above sub-paragraphs.
2. With regard to economic and social activities, the Parties undertake, in so far as the public authorities are competent, within the territory in

which the regional or minority languages are used, and as far as this is reasonably possible:

- a. to include in their financial and banking regulations provisions which allow, by means of procedures compatible with commercial practice, the use of regional or minority languages in drawing up payment orders (cheques, drafts, etc.) or other financial documents, or, where appropriate, to ensure the implementation of such provisions;
- b. in the economic and social sectors directly under their control (public sector), to organise activities to promote the use of regional or minority languages;
- c. to ensure that social care facilities such as hospitals, retirement homes and hostels offer the possibility of receiving and treating in their own language persons using a regional or minority language who are in need of care on grounds of ill-health, old age or for other reasons;
- d. to ensure by appropriate means that safety instructions are also drawn up in regional or minority languages;
- e. to arrange for information provided by the competent public authorities concerning the rights of consumers to be made available in regional or minority languages.

## **Article 14 – Transfrontier exchanges**

The Parties undertake:

- a. to apply existing bilateral and multilateral agreements which bind them with the States in which the same language is used in identical or similar form, or if necessary to seek to conclude such agreements, in such a way as to foster contacts between the users of the same language in the States concerned in the fields of culture, education, information, vocational training and permanent education;
- b. for the benefit of regional or minority languages, to facilitate and/ or promote co-operation across borders, in particular between regional or local authorities in whose territory the same language is used in identical or similar form.

## **PART IV**

### **APPLICATION OF THE CHARTER**

#### **Article 15 – Periodical reports**

1. The Parties shall present periodically to the Secretary General of the Council of Europe, in a form to be prescribed by the Committee of Ministers, a report on their policy pursued in accordance with Part II of this Charter and on the measures taken in application of those provisions of Part III which they have accepted. The first report shall be presented within the year following the entry into force of the Charter with respect to the Party concerned, the other reports at three-yearly intervals after the first report.
2. The Parties shall make their reports public.

#### **Article 16 – Examination of the reports**

1. The reports presented to the Secretary General of the Council of Europe under Article 15 shall be examined by a committee of experts constituted in accordance with Article 17.
2. Bodies or associations legally established in a Party may draw the attention of the committee of experts to matters relating to the undertakings entered into by that Party under Part III of this Charter. After consulting the Party concerned, the committee of experts may take account of this information in the preparation of the report specified in paragraph 3 below. These bodies or associations can furthermore submit statements concerning the policy pursued by a Party in accordance with Part II.
3. On the basis of the reports specified in paragraph 1 and the information mentioned in paragraph 2, the committee of experts shall prepare a report for the Committee of Ministers. This report shall be accompanied by the comments which the Parties have been requested to make and may be made public by the Committee of Ministers.
4. The report specified in paragraph 3 shall contain in particular the proposals of the committee of experts to the Committee of Ministers for the preparation of such recommendations of the latter body to one or more of the Parties as may be required.

5. The Secretary General of the Council of Europe shall make a two-yearly detailed report to the Parliamentary Assembly on the application of the Charter.

## **Article 17 – Committee of experts**

1. The committee of experts shall be composed of one member per Party, appointed by the Committee of Ministers from a list of individuals of the highest integrity and recognised competence in the matters dealt with in the Charter, who shall be nominated by the Party concerned.
2. Members of the committee shall be appointed for a period of six years and shall be eligible for reappointment. A member who is unable to complete a term of office shall be replaced in accordance with the procedure laid down in paragraph 1, and the replacing member shall complete his predecessor's term of office.
3. The committee of experts shall adopt rules of procedure. Its secretarial services shall be provided by the Secretary General of the Council of Europe.

## **PART V FINAL PROVISIONS**

### **Article 18**

This Charter shall be open for signature by the member States of the Council of Europe. It is subject to ratification, acceptance or approval. Instruments of ratification, acceptance or approval shall be deposited with the Secretary General of the Council of Europe.

### **Article 19**

1. This Charter shall enter into force on the first day of the month following the expiration of a period of three months after the date on which five member States of the Council of Europe have expressed their consent to be bound by the Charter in accordance with the provisions of Article 18.
2. In respect of any member State which subsequently expresses its consent to be bound by it, the Charter shall enter into force on the first day of the month following the expiration of a period of three months after the date of the deposit of the instrument of ratification, acceptance or approval.

## Article 20

1. After the entry into force of this Charter, the Committee of Ministers of the Council of Europe may invite any State not a member of the Council of Europe to accede to this Charter.
2. In respect of any acceding State, the Charter shall enter into force on the first day of the month following the expiration of a period of three months after the date of deposit of the instrument of accession with the Secretary General of the Council of Europe.

## Article 21

1. Any State may, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, make one or more reservations to paragraphs 2 to 5 of Article 7 of this Charter. No other reservation may be made.
2. Any Contracting State which has made a reservation under the preceding paragraph may wholly or partly withdraw it by means of a notification addressed to the Secretary General of the Council of Europe. The withdrawal shall take effect on the date of receipt of such notification by the Secretary General.

## Article 22

1. Any Party may at any time denounce this Charter by means of a notification addressed to the Secretary General of the Council of Europe.
2. Such denunciation shall become effective on the first day of the month following the expiration of a period of six months after the date of receipt of the notification by the Secretary General.

## Article 23

The Secretary General of the Council of Europe shall notify the member States of the Council and any State which has acceded to this Charter of:

- a. any signature;
- b. the deposit of any instrument of ratification, acceptance, approval or accession;
- c. any date of entry into force of this Charter in accordance with Articles 19 and 20;

- d. any notification received in application of the provisions of Article 3, paragraph 2;
- e. any other act, notification or communication relating to this Charter.

In witness whereof the undersigned, being duly authorised thereto, have signed this Charter.

Done at Strasbourg, this 5th day of November 1992, in English and French, both texts being equally authentic, in a single copy which shall be deposited in the archives of the Council of Europe. The Secretary General of the Council of Europe shall transmit certified copies to each member State of the Council of Europe and to any State invited to accede to this Charter.

# Explanatory Report

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## to the European Charter for Regional or Minority Languages

*Strasbourg, 5.XI.1992*

### INTRODUCTION

1. Many European countries have on their territory regionally based autochthonous groups speaking a language other than that of the majority of the population. This is a consequence of historical processes whereby the formation of States has not taken place on purely language-related lines and small communities have been engulfed by larger ones.
2. The demographic situation of such regional or minority languages varies greatly, from a few thousand speakers to several million, and so does the law and practice of the individual States with respect to them. However, what many have in common is a greater or lesser degree of precariousness. Moreover, whatever may have been the case in the past, nowadays the threats facing these regional or minority languages are often due at least as much to the inevitably standardising influence of modern civilisation and especially of the mass media as to an unfriendly environment or a government policy of assimilation.
3. For many years various bodies within the Council of Europe have been expressing concern over the situation of regional or minority languages. It is true that the Convention for the Protection of Human Rights and Fundamental Freedoms in its Article 14 lays down the principle of non-discrimination, in particular outlawing, at least with respect to the enjoyment of the rights and freedoms guaranteed by the Convention, any discrimination based on such grounds as language or association with a national minority. Important though this is, however, it creates only a right for individuals not to be subjected to discrimination, but not

a system of positive protection for minority languages and the communities using them, as was pointed out by the Consultative Assembly as long ago as 1957 in its Resolution 136. In 1961, in Recommendation 285, the Parliamentary Assembly called for a protection measure to supplement the European Convention to be devised in order to safeguard the rights of minorities to enjoy their own culture, to use their own language, to establish their own schools and so on.

4. Lastly, in 1981 the Parliamentary Assembly of the Council of Europe adopted Recommendation 928 on the educational and cultural problems of minority languages and dialects in Europe, and in the same year the European Parliament passed a resolution on the same questions. Both documents concluded that it was necessary to draw up a charter of regional or minority languages and cultures.
5. Acting on these recommendations and resolutions, the Standing Conference of Local and Regional Authorities of Europe (CLRAE) decided to undertake the preparation of a European charter for regional or minority languages, by reason of the part which local and regional authorities must be expected to play in relation to languages and cultures at local and regional level.
6. The preliminary work before the actual drafting of the charter involved a survey of the actual situation of regional and minority languages in Europe and, in 1984, a public hearing attended by some 250 people representing over 40 languages. The initial drafting was carried out with the assistance of a group of experts. In view of the strong and continuing interest of the Parliamentary Assembly of the Council of Europe and the European Parliament in this topic, the former participated in the drafting and contacts were maintained with competent members of the latter.
7. Finally, in its Resolution 192 (1988), the Standing Conference proposed the text of a charter which was designed to have the status of a convention.
8. Following this initiative, which was supported by the Parliamentary Assembly in its Opinion No. 142 (1988), the Committee of Ministers established an ad hoc committee of experts on regional or minority languages in Europe (CAHLR), with responsibility for drafting a charter bearing the Standing Conference's text in mind. This intergovernmental committee began work at the end of 1989. In view of their important role as promoters of the project, both the CLRAE and the Parliamentary Assembly were represented at its meetings. Before submitting the final

text of the draft charter to the Committee of Ministers in 1992, the CAHLR consulted and took into account the opinions of a number of specialised committees within the Council of Europe (culture, education, human rights, legal co-operation, crime problems, local and regional authorities, media), as well as the European Commission for Democracy through Law.

9. The charter was adopted as a convention by the Committee of Ministers at the 478th meeting of the Ministers' Deputies on 25 June 1992 and opened for signature on 5 November 1992 in Strasbourg.

## GENERAL CONSIDERATIONS

### Objectives of the charter

10. As is made clear in the preamble, the charter's overriding purpose is cultural. It is designed to protect and promote regional or minority languages as a threatened aspect of Europe's cultural heritage. For this reason it not only contains a non-discrimination clause concerning the use of these languages but also provides for measures offering active support for them: the aim is to ensure, as far as reasonably possible, the use of regional or minority languages in education and the media and to permit their use in judicial and administrative settings, economic and social life and cultural activities. Only in this way can such languages be compensated, where necessary, for unfavourable conditions in the past and preserved and developed as a living facet of Europe's cultural identity.
11. The charter sets out to protect and promote regional or minority languages, not linguistic minorities. For this reason emphasis is placed on the cultural dimension and the use of a regional or minority language in all the aspects of the life of its speakers. The charter does not establish any individual or collective rights for the speakers of regional or minority languages. Nevertheless, the obligations of the parties with regard to the status of these languages and the domestic legislation which will have to be introduced in compliance with the charter will have an obvious effect on the situation of the communities concerned and their individual members.
12. The CLRAE conceived and presented its draft charter before the dramatic changes in central and eastern Europe and in the light of the needs of the countries which at that time were already members of the Council

of Europe. Nevertheless, the relevance of the charter and its approach to the situation of the countries of central and eastern Europe has since been confirmed by the considerable interest expressed by the representatives of a number of these countries in the establishment of European standards on this topic.

13. While the draft charter is not concerned with the problem of nationalities who aspire after independence or alterations to frontiers, it may be expected to help, in a measured and realistic fashion, to assuage the problem of minorities whose language is their distinguishing feature, by enabling them to feel at ease in the State in which history has placed them. Far from reinforcing disintegrating tendencies, the enhancement of the possibility to use regional or minority languages in the various spheres of life can only encourage the groups who speak them to put behind them the resentments of the past which prevented them from accepting their place in the country in which they live and in Europe as a whole.
14. In this context it should be stressed that the charter does not conceive the relationship between official languages and regional or minority languages in terms of competition or antagonism. Rather, it deliberately adopts an intercultural and multilingual approach in which each category of language has its proper place. This approach corresponds fully to the values traditionally upheld by the Council of Europe and its efforts to promote closer relations between peoples, increased European co-operation and a better understanding between different population groups within the State on an intercultural basis.
15. The charter does not deal with the situation of new, often non-European languages which may have appeared in the signatory States as a result of recent migration flows often arising from economic motives. In the case of populations speaking such languages, specific problems of integration arise. The CAHLR took the view that these problems deserved to be addressed separately, if appropriate in a specific legal instrument.
16. Finally, it may be noted that some member States of the Council of Europe already implement policies which go further than some of the requirements of the charter. It is in no way intended that the provisions of the charter should detract from their right to do so.

## Basic concepts and approach

### *Concept of language*

17. The concept of language as used in the charter focuses primarily on the cultural function of language. That is why it is not defined subjectively in such a way as to consecrate an individual right, that is the right to speak “one’s own language”, it being left to each individual to define that language. Nor is reliance placed on a politico-social or ethnic definition by describing a language as the vehicle of a particular social or ethnic group. Consequently, the charter is able to refrain from defining the concept of linguistic minorities, since its aim is not to stipulate the rights of ethnic and/or cultural minority groups, but to protect and promote regional or minority languages as such.

### *Terminology used*

18. In preference to other expressions such as “less widespread languages”, the CAHLR opted for the term “regional or minority languages”. The adjective “regional” denotes languages spoken in a limited part of the territory of a State, within which, moreover, they may be spoken by the majority of the citizens. The term “minority” refers to situations in which either the language is spoken by persons who are not concentrated on a specific part of the territory of a State or it is spoken by a group of persons, which, though concentrated on part of the territory of the State, is numerically smaller than the population in this region which speaks the majority language of the State. Both adjectives therefore refer to factual criteria and not to legal notions and in any case relate to the situation in a given State (for instance, a minority language in one State may be a majority language in another State).

### *Absence of distinction between different “categories” of regional or minority languages*

19. The authors of the charter were confronted by the problem of the major differences which exist in the situations of regional or minority languages in Europe. Some languages cover a relatively large territorial area, are spoken by a substantial population and enjoy a certain capability of development and cultural stability; others are spoken only by a very small proportion of the population, in a restricted territory, or in a very

marked minority context and already with greatly impaired potential for survival and development.

20. Nevertheless, it was decided not to attempt to define different categories of languages according to their objective situation. Such an approach would not do justice to the diversity of language situations in Europe. In practice, each regional or minority language constitutes a special case and it is pointless to try and force them into distinct groups. The solution adopted was to preserve the single notion of regional or minority language, while enabling States to adapt their undertakings to the situation of each regional or minority language.

### ***Absence of a list of regional or minority languages in Europe***

21. The charter does not specify which European languages correspond to the concept of regional or minority languages as defined in its first article. In fact, the preliminary survey of the linguistic situation in Europe carried out by the Standing Conference of Local and Regional Authorities of Europe prompted the authors of the charter to refrain from appending a list of regional or minority languages. However expert its compilers, such a list would certainly be widely disputed on linguistic and other grounds. Moreover, its value would be limited, since at any rate with respect to the specific measures in Part III of the charter it is left largely up to the parties to determine which provisions shall apply to which language. The charter puts forward appropriate solutions for the different situations of individual regional or minority languages but does not prejudice what is the specific situation in concrete cases.

### **The structure of the charter**

22. On the one hand, the charter establishes a common core of principles, set out in Part II, which apply to all regional or minority languages. On the other hand, Part III of the charter contains a series of specific provisions concerning the place of regional or minority languages in the various sectors of the life of the community: the individual States are free, within certain limits, to determine which of these provisions will apply to each of the languages spoken within their frontiers. In addition, a considerable number of provisions comprise several options of varying degrees of stringency, one of which must be applied “according to the situation of each language”.

23. This flexibility takes account of the major differences in the de facto situations of regional or minority languages (number of speakers, degree of fragmentation, etc). It also has regard to the costs entailed by many of the provisions and the varying administrative and financial capacity of the European States. In this respect it is important that the parties are allowed to add to their commitments at a later stage, as their legal situation develops or their financial circumstances allow.
24. Finally, Part IV of the charter contains implementing provisions, including in particular the establishment of a European expert committee to monitor the application of the charter.

## COMMENTARY ON THE PROVISIONS OF THE CHARTER

### Preamble

25. The preamble sets out the reasons for having the charter drawn up and explains its basic philosophical approach.
26. The aim of the Council of Europe is to achieve a greater unity between its members in order to promote their common heritage and ideals. Linguistic diversity is one of the most precious elements of the European cultural heritage. The cultural identity of Europe cannot be constructed on the basis of linguistic standardisation. On the contrary, the protection and strengthening of its traditional regional and minority languages represents a contribution to the building of Europe, which, according to the ideals of the members of the Council of Europe, can be founded only on pluralist principles.
27. The preamble refers to the United Nations International Covenant on Civil and Political Rights and to the European Convention on Human Rights. In addition, it cites the commitments of a political nature adopted within the framework of the Conference on Security and Co-operation in Europe. Having regard to the present weakness of some of the historical regional or minority languages of Europe, however, the mere prohibition of discrimination against their users is not a sufficient safeguard. Special support which reflects the interests and wishes of the users of these languages is essential to their preservation and development.
28. The approach of the charter respects the principles of national sovereignty and territorial integrity. Each State is required to take into account

a cultural and social reality and there is no question of challenging any political or institutional order. On the contrary, it is because the member States accept territorial and State structures as they are, that they believe it is necessary, within each State, but in a concerted manner, to take measures to promote languages of a regional or minority nature.

29. The affirmation of the principles of interculturalism and multi-lingualism serves to remove any misapprehension as to the aims of the charter, which by no means seeks to foster any kind of partitioning off of linguistic groups. On the contrary, it is recognised that in every State it is necessary to know the official language (or one of the official languages); consequently, none of the charter's provisions should be interpreted as intending to raising obstacles to the knowledge of official languages.

## **PART I**

### **GENERAL PROVISIONS**

#### **Article 1 – Definitions**

##### ***Definition of “regional or minority languages” (Article 1, paragraph a)***

30. The definition employed in the charter emphasises three aspects:

##### ***Languages traditionally used by nationals of the State:***

31. The purpose of the charter is not to resolve the problems arising out of recent immigration phenomena, resulting in the existence of groups speaking a foreign language in the country of immigration or sometimes in the country of origin in case of return. In particular, the charter is not concerned with the phenomenon of non-European groups who have immigrated recently into Europe and acquired the nationality of a European State. The expressions “historical regional or minority languages of Europe” (see second paragraph of the preamble) and languages “traditionally used” in the State (Article 1, paragraph a) show clearly that the charter covers only historical languages, that is to say languages which have been spoken over a long period in the State in question.

### ***Different languages:***

32. These languages must clearly differ from the other language or languages spoken by the remainder of the population of the State. The charter does not concern local variants or different dialects of one and the same language. However, it does not pronounce on the often disputed question of the point at which different forms of expression constitute separate languages. This question depends not only on strictly linguistic considerations, but also on psycho-sociological and political phenomena which may produce a different answer in each case. Accordingly, it will be left to the authorities concerned within each State, in accordance with its own democratic processes, to determine at what point a form of expression constitutes a separate language.

### ***Territorial base:***

33. The languages covered by the charter are primarily territorial languages, that is to say languages which are traditionally used in a particular geographical area. That is why the charter seeks to define the “territory in which the regional or minority language is used”. It is not only the territory within which that language is dominant or spoken by the majority, since many languages have become minority languages even in the areas where they have their traditional territorial base. The reason why the charter is mainly concerned with languages which have a territorial base is that most of the measures which it advocates necessitate the definition of a geographical field of application other than the State as a whole. Obviously there are situations in which more than one regional or minority language is spoken on a given territory; the charter also covers these situations.

### ***Definition of the territory of a regional or minority language (Article 1, paragraph b)***

34. The territory referred to is that where a regional or minority language is spoken to a significant extent, even if only by a minority, and which corresponds to its historical base. Since the terms used in the charter in this respect are inevitably fairly flexible, it is up to each State to define more precisely, in the spirit of the charter, the notion of regional or minority languages' territory, taking into account the provisions of Article 7, paragraph 1.b, regarding protection of the territory of regional or minority languages.

35. A key expression in this provision is “number of people justifying the adoption of the various protective and promotional measures”. The authors of the charter avoided establishing a fixed percentage of speakers of a regional or minority language at or above which the measures laid down in the charter should apply. They preferred to leave it up to the State to assess, within the spirit of the charter, according to the nature of each of the measures provided for, the appropriate number of speakers of the language required for the adoption of the measure in question.

### ***Definition of “non-territorial languages” (Article 1, paragraph c)***

36. “Non-territorial languages” are excluded from the category of regional or minority languages because they lack a territorial base. In other respects, however, they correspond to the definition contained in Article 1, paragraph a, being languages traditionally used on the territory of the State by citizens of the State. Examples of non-territorial languages are Yiddish and Romany.
37. In the absence of a territorial base, only a limited part of the charter can be applied to these languages. In particular, most of the provisions of Part III aim to protect or promote regional or minority languages in relation to the territory in which they are used. Part II can more easily be applied to non-territorial languages, but only *mutatis mutandis* and on the terms set out in Article 7, paragraph 5.

## **Article 2 – Undertakings**

38. Article 2 distinguishes between the two main parts of the charter, namely Part II and Part III.

### ***Implementation of Part II (Article 2, paragraph 1).***

39. Part II is general in scope and applies in its entirety to all regional or minority languages spoken on the territory of a State Party. It will be noted, however, that the use of the expression “according to the situation of each language” shows that this part is drafted so as to cater for the very great variety of language situations that may be encountered in the various European countries and within each country. In particular, in the first paragraph the States Parties are required to undertake to match their policy, legislation and practice to a number of principles and objectives. These are fairly generally defined and allow the States

concerned a broad measure of discretion as regards interpretation and application (see explanations below concerning Part II).

40. Although the States Parties are not free to grant or to refuse a regional or minority language the status which it is guaranteed under Part II of the charter, they are responsible, as authorities for the application of the charter, for deciding whether the form of expression used in a particular area of their territory or by a particular group of their nationals constitutes a regional or minority language within the meaning of the charter.

### ***Implementation of Part III (Article 2, paragraph 2)***

41. The purpose of Part III is to translate the general principles asserted in Part II into precise rules. It is binding on those contracting States which, in addition to the provisions of Part II, undertake to apply the provisions of Part III which they have chosen. In order to enable the charter to be adapted to the variety of linguistic situations encountered in the various European States, the authors of the charter have provided for a twofold modulation: firstly, the States are free to name the languages to which they agree to Part III of the charter being applied and, secondly, for each of the languages for which they accept that the charter shall apply, they can determine the provisions of Part III to which they subscribe.
42. It is possible for a contracting State, without offending the letter of the charter, to recognise that a particular regional or minority language exists on its territory but consider it preferable, for reasons which lie within its discretion, not to extend to that language the benefit of the provisions of Part III of the charter. Clearly, however, the reasons which prompt a State to exclude a recognised regional or minority language completely from the benefit of Part III must be reasons compatible with the spirit, objectives and principles of the charter.
43. Once a State has agreed to apply Part III to a regional or minority language spoken on its territory, it will still have to determine which paragraphs of Part III are to be applied to that particular regional or minority language. Under paragraph 2 of Article 2, the parties undertake to apply at least 35 paragraphs or sub-paragraphs chosen from among the provisions of Part III. The role of the State in the choice between these different paragraphs will consist in matching the charter as closely as possible to the particular context of each regional or minority language.

44. For this purpose the conditions stipulated by Article 2, paragraph 2 are kept to a minimum designed to provide for a reasonable distribution of the parties' undertakings among the different articles of the charter and thus ensure that they do not ignore any of the major fields of protection of regional or minority languages (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life).
45. The expression "paragraphs or sub-paragraphs" refers to distinct provisions of the charter which stand on their own. Thus, if a State chooses paragraph 3 of Article 9, this paragraph will count as one unit for the purposes of Article 2, paragraph 2; the same applies if a State accepts sub-paragraph g of Article 8, paragraph 1. Where a given paragraph or subparagraph contains several options, the choice of one option will constitute a sub-paragraph for the purposes of Article 2, paragraph 2. For example, in Article 8, if a State chooses option a.iii in paragraph 1, this text will count as a "sub-paragraph". The position is different when the options are not necessarily alternatives but may be accepted cumulatively. Thus in Article 9, if a State chooses options a.iii and a. iv in paragraph 1, these texts will count as two subparagraphs within the meaning of Article 2.
46. The aim of these options is to introduce a further element of flexibility into the charter so as to take account of the wide disparities in the de facto situation of regional or minority languages. It is clear that certain provisions which are perfectly well adapted to a regional language practised by a large number of speakers are not suited to a minority language used only by a small group of persons. The role of the States will be, not to choose arbitrarily between these alternatives, but to seek for each regional or minority language the wording which best fits the characteristics and State of development of that language. The purpose of these alternative wordings is clearly expressed in the very text of the relevant articles or paragraphs of Part III, which provide that they are applicable "according to the situation of each language". Broadly speaking, and in the absence of other relevant factors, this would imply, for instance, that the larger the number of speakers of a regional or minority language and the more homogeneous the regional population, the "stronger" the option which should be adopted; a weaker alternative should be adopted only when the stronger option cannot be applied owing to the situation of the language in question.

47. It will therefore be for the States to choose in Part III provisions forming a coherent framework adapted to the specific situation of each language. They may also, if they prefer, adopt a general framework applying to all the languages or to a group of languages.

### **Article 3 – Practical arrangements**

48. Article 3 describes the procedure for the implementation of the principles just outlined in Article 2: each Contracting State specifies in its instrument of ratification, acceptance, approval or accession, firstly, those regional or minority languages to which Part III applies and, secondly, the paragraphs of Part III chosen for application to each language, it being understood that the paragraphs chosen need not be the same for each language.
49. The charter, in its Article 2, does not compel acceptance of both Parts II and III, since a State could confine itself to ratifying the convention without selecting any language for the purposes of the application of Part III. In such a case, only Part II would apply. In general, the spirit of the charter would require that States make use of the possibilities offered by Part III, which constitutes the essence of the protection afforded by the charter.
50. It is also clear that, at any time, a party may accept new obligations, for example by extending to an additional regional or minority language the benefit of the provisions of Part III of the charter or by subscribing, in respect of a language or all the minority or regional languages spoken on its territory, to paragraphs of the charter not previously accepted.
51. The wording of Article 3 takes account of the position in certain member States whereby a national language which has the status of an official language of the State, either on the whole or on part of its territory, may in other respects be in a comparable situation to regional or minority languages as defined in Article 1, paragraph a, because it is used by a group numerically smaller than the population using the other official language(s). If a State wishes such a less widely used official language to benefit from the measures of protection and promotion provided for by the charter, it is therefore enabled to determine that the charter shall apply to it. Such an extension of the application of the charter to an official language then holds good for all articles of the charter, including Article 4, paragraph 2.

## **Article 4 – Existing regimes of protection**

52. This article relates to the combination of the charter with domestic legislation or international agreements laying down a legal status for linguistic minorities.
53. Where certain languages or the minorities who practise them already enjoy a status defined in domestic law or under international agreements, the purpose of the charter is clearly not to reduce the rights and guarantees recognised by those provisions. However, the protection afforded by the charter is additional to the rights and guarantees already granted by other instruments. For the application of all these undertakings, where competing provisions exist on the same subject the most favourable provisions should be applied to the minorities or languages concerned. Thus the existence of more restrictive provisions in domestic law or under other international undertakings must not be an obstacle to the application of the charter.
54. Paragraph 1 of this article is concerned with the specific case of the rights guaranteed by the European Convention on Human Rights. It seeks to exclude the possibility that any of the provisions of the charter might be so interpreted as to detract from the protection accorded thereby to the human rights of individuals.

## **Article 5 – Existing obligations**

55. As is already indicated in the preamble, the protection and promotion of regional or minority languages which is the objective of the charter must take place within the framework of national sovereignty and territorial integrity. This article makes explicit in this respect that the existing obligations of the parties remain unchanged. In particular the fact that, by ratifying the charter, a State has entered into undertakings with respect to a regional or minority language may not be used by another State having a special interest in that language or by the users of the language as a pretext for taking any action prejudicial to the sovereignty and territorial integrity of that State.

## **Article 6 – Information**

56. The motive for the undertaking to provide information which is established by this article lies in the fact that the charter can never become fully effective if the competent authorities and interested organisations and individuals are not aware of the obligations which derive from it.

## **PART II**

### **OBJECTIVES AND PRINCIPLES**

#### **Article 7**

##### ***List of objectives and principles included in the Charter (Article 7, paragraph 1)***

57. These provisions concern essentially objectives and principles and not precise implementing rules. These objectives and principles are considered to constitute the necessary framework for the preservation of regional or minority languages. They fall under six main headings.

##### ***Recognition of regional or minority languages (Article 7, paragraph 1.a)***

58. This is a question of recognition of the existence of these languages and of the legitimacy of their use. Such recognition must not be confused with recognition of a language as an official language. Admitting the existence of a language is a pre-condition for taking its specific features and needs into consideration and for action on its behalf.

##### ***Respect for the geographical area of each regional or minority language (Article 7, paragraph 1.b)***

59. Although the charter considers it desirable to ensure a consistency between the territory of a regional or minority language and an appropriate territorial administrative entity, it is clear that this objective cannot be achieved in all cases, since settlement patterns may be too complex and the determination of territorial administrative entities may legitimately depend on other considerations than the use of a language. Accordingly, the charter does not require that the territory of a regional or minority language should in all cases coincide with an administrative unit.
60. On the other hand, it does condemn practices which devise territorial divisions so as to render the use or survival of a language more difficult or to fragment a language community among a number of administrative or territorial units. If administrative units cannot be adapted to the existence of a regional or minority language, they must at least remain neutral and not have a negative effect on the language. In particular,

local or regional authorities must be in a position to discharge their responsibilities in relation to these languages.

***Need for positive action for the benefit of regional or minority languages (Article 7, paragraph 1.c and d)***

61. It is clear today that, by reason of the weakness of numerous regional or minority languages, the mere prohibition of discrimination is not sufficient to ensure their survival. They need positive support. This is the idea expressed in paragraph 1.c. In this paragraph it is left up to the States to determine the manner in which they intend acting to promote regional or minority languages in order to preserve them, but the charter emphasises that such action must be resolute.
62. Furthermore, as Stated in paragraph 1.d, this effort of promotion must include action in favour of the possibility to use regional or minority languages freely, both orally and in writing, not only in private life and in individual relations, but also in community life, that is to say within the framework of institutions, social activities and economic life. The place which a regional or minority language may occupy in public contexts will obviously depend on its own particular features and will vary from one language to another. The charter does not lay down precise objectives in this respect but is content to call for an effort of promotion.

***Guarantee of the teaching and study of regional or minority languages (Article 7, paragraph 1.f and h)***

63. A crucial factor in the maintenance and preservation of regional or minority languages is the place they are given in the education system. The charter is content in Part II to affirm the principle, leaving it to the States to define implementing measures. However, it requires that regional or minority languages be present “at all appropriate stages” of the education system. The arrangements for the teaching of the regional or minority language will obviously vary according to the level of education concerned. In particular, in some cases, provision will need to be made for teaching “in” the regional or minority language and in others only for teaching “of” the language. Only the teaching of the regional or minority language at levels for which the language would not be appropriate, in view of its own particular characteristics, could be left out of account.

64. While paragraph 1.f is concerned to establish or safeguard teaching in or of the language as an instrument of transmission of the language, paragraph 1.h provides for the promotion of studies and research on regional or minority languages in a university or equivalent setting; for such work is essential to the development of such languages in terms of vocabulary, grammar and syntax. The promotion of such studies is part of the general effort to promote regional or minority languages in order to encourage their intrinsic progress.

***Facilities afforded to non-speakers of regional or minority languages to acquire a knowledge of them (Article 7, paragraph 1.g)***

65. The speakers of regional or minority languages know that, for their own personal fulfilment, they need to know the official language. However, in accordance with the emphasis placed in the preamble on the value of interculturalism and multilingualism, it is desirable that this spirit of receptiveness to several languages should not be confined to the speakers of regional or minority languages. In order to facilitate communication and understanding between language groups, the parties are called upon, in territories where a regional or minority language exists, to provide facilities for persons who are not native speakers of that language to learn it if they so desire.
66. It is well known that in some States the objective of the appropriate authorities is that the regional language should be the language normally and generally spoken in the region, and measures are taken to ensure that the language is known even by people for whom it is not their native language. Such a policy is not contrary to the charter, but does not constitute the purpose of paragraph 1.g. This paragraph seeks only to ensure greater mutual permeability between language groups.

***Relations between groups speaking a regional or minority language (Article 7, paragraph 1.e and i)***

67. It is necessary that groups speaking the same regional or minority language have the possibility of engaging in cultural exchanges and in general of developing their relations, in order to contribute together to the preservation and enrichment of their language. To this end, the charter seeks to prevent fragmented patterns of settlement, administrative divisions

within a State or the fact that such groups are settled in different States from constituting an obstacle to relations between them.

68. Admittedly, such awareness of a shared identity between speakers of a regional or minority language must not be reflected negatively in exclusiveness or marginalisation in relation to other social groups. The objective of promoting cultural relations with speakers of different regional or minority languages therefore serves the goal both of cultural enrichment and of enhanced understanding between all groups in the State.
69. Paragraph 1.i adds a further dimension: the idea that such relations must also be able to develop across national frontiers if groups speaking the same or similar regional or minority languages are spread over several States. By definition, regional or minority languages are spoken in the State concerned by a relatively small number of speakers: for the purpose of mutual enrichment in the cultural sphere, the latter may need to be able to rely on the cultural resources available, across frontiers, to other groups speaking the same or a similar language. This is particularly important where a regional language in one State corresponds to a major cultural language, or even the national language, of another State and where transfrontier co-operation can enable the regional community to benefit from cultural activity in that more widespread language. It is important that States should recognise the legitimacy of such relations and not consider them suspect in terms of the loyalty which every State expects of its nationals or regard them as a threat to their territorial integrity. A language group will feel all the more integrated in the State of which it is a part if it is recognised as such and if cultural contacts with its neighbouring communities are not hindered.
70. However, the States are left free to work out the most suitable arrangements for bringing such transnational exchanges about, especially bearing in mind the domestic and international constraints which some of them may face. More specific commitments are set out in Article 14 in Part III.

### ***Elimination of discrimination (Article 7, paragraph 2)***

71. The prohibition of discrimination in respect of the use of regional or minority languages constitutes a minimum guarantee for the speakers of such languages. For this reason, the parties undertake to eliminate

measures discouraging the use or jeopardising the maintenance or development of a regional or minority language.

72. However, the purpose of this paragraph is not to establish complete equality of rights between languages. As is indicated by its wording, and in particular by the insertion of the term “unjustified”, it is in fact quite compatible with the spirit of the charter that in the pursuit of policies which relate to regional or minority languages certain distinctions could be made between languages. In particular, the measures laid down by each State in favour of the use of a national or official language do not constitute discrimination against regional languages on the sole grounds that these same measures are not taken for their benefit. However, such measures must not constitute an obstacle to the maintenance or development of the regional or minority languages.
73. At the same time, precisely because disparities exist between the situation of official languages and that of regional or minority languages and because those who practise the latter are often at a disadvantage, the charter accepts that positive measures may be necessary with the aim of preserving and promoting such languages. Provided that the measures have such an aim, and that they seek to do no more than promote equality between languages, they are not to be regarded as discriminatory.

### ***Promotion of mutual respect and understanding between linguistic groups (Article 7, paragraph 3)***

74. Respect for regional or minority languages and the development of a spirit of tolerance towards them are part of a general concern to develop understanding for a situation of language plurality within a State. The development of this spirit of tolerance and receptiveness through the educational system and the media is an important factor in the practical preservation of regional or minority languages. The encouragement of the mass media to pursue such objectives is not considered to constitute illegitimate State influence; indeed respect for human rights, tolerance of minorities and avoidance of incitement to hatred are the kinds of objective which most European States do not hesitate to impose as obligations upon the media. In the same spirit, for speakers of regional or minority languages, this principle constitutes an important factor causing them to be receptive to majority languages and cultures.

### ***Establishment of bodies to represent the interests of regional or minority languages (Article 7, paragraph 4)***

75. The CAHLR thought it important that in each State mechanisms should exist whereby the public authorities take account of the needs and wishes expressed by the speakers of regional or minority languages themselves. Consequently, it is recommended that for each regional or minority language there should be a promoting body responsible for representing the interests of the language at national level, carrying out practical measures to promote it, and monitoring the implementation of the charter in relation to that particular language. The expression "if necessary" indicates *inter alia* that, where such institutions already exist in one form or another, it is not intended to encourage States to establish new ones which would duplicate them.

### ***Application of the charter's principles to non-territorial languages (Article 7, paragraph 5)***

76. Although the charter is primarily concerned with languages which are historically identified with a particular geographical area of the State, the CAHLR did not wish to ignore those languages traditionally spoken within the State but which have no precise territorial base.
77. However, it is recognised that, owing to the territorial field of application of a number of principles and objectives laid down in Part II and the practical difficulty of taking measures to implement them without defining their geographical scope, these provisions cannot without certain adjustments be applied to non-territorial languages. Paragraph 5 accordingly specifies that they are to be applied only so far as possible to these languages.
78. Some of the provisions contained in paragraphs 1 to 4 can be applied without difficulty also to non-territorial languages; this is the case regarding the recognition of these languages, the measures to develop a spirit of respect, understanding and tolerance towards them, the prohibition of discrimination and the action to afford them positive support, the possibility for the groups speaking those languages to develop links with each other within the State and abroad, and the promotion of language research and study. On the other hand, it will not be possible to apply to non-territorial languages the provisions concerning administrative divisions and the facilities provided for non-speakers of these languages to

acquire some knowledge of them, since such measures are capable of being taken only in a specified territory. Lastly, the objectives of making provision for the teaching and study of these nonterritorial languages and the promotion of their use in public life can probably, for practical reasons, be implemented only with certain adjustments.

### **PART III**

## **MEASURES TO PROMOTE THE USE OF REGIONAL OR MINORITY LANGUAGES IN PUBLIC LIFE IN ACCORDANCE WITH THE UNDERTAKINGS ENTERED INTO UNDER ARTICLE 2, PARAGRAPH 2**

### **Article 8 – Education**

79. The provisions of paragraph 1 of this article relate only to the territory in which each regional or minority language is used. They are also to be applied “according to the situation of each of these languages”. As indicated with reference to Article 2, paragraph 2 above, this stipulation is especially relevant to the choice of which option to accept for which language in sub-paragraphs a to f.
80. The phrase “and without prejudice to the teaching of the official language(s) of the State” is intended to avert any possibility of interpreting the provisions of Article 8, paragraph 1 – and in particular the first option in each of sub-paragraphs a to f – as excluding the teaching of the language(s) spoken by the majority. Such a tendency to form linguistic ghettos would be contrary to the principles of interculturalism and multilingualism underlined in the preamble and inimical to the interests of the population groups concerned. In the special circumstances of those countries where the charter applies to less widely used official languages, this phrase should be interpreted as meaning that the provisions of paragraph 1 are without prejudice to the teaching of other official languages.
81. Article 8 deals with several levels of education: pre-school, primary, secondary, technical and vocational, university and adult education. For every one of these levels, different options are presented according to the situation of each regional or minority language.
82. Some of the sub-paragraphs employ the expression “in a number considered sufficient”. This recognises that the public authorities cannot

be required to take the measures concerned where the situation of the linguistic group makes it difficult to attain the minimum number of pupils required to form a class. On the other hand, given the particular circumstances of regional or minority languages, it is suggested that the normal quota required to constitute a class may be applied flexibly and a lower number of pupils may be “considered sufficient”.

83. The wording of option iv in sub-paragraphs c and d takes account of the fact that national situations vary with regard to both the age of majority and the age at which such education may be completed. Depending on these circumstances, the wishes to be taken into account may be either those of the pupils themselves or those of their families.
84. It is recognised that not all education systems distinguish between secondary education and vocational education, the latter being merely regarded as a particular type of secondary education. Nevertheless, as made in sub-paragraphs c and d, this distinction takes account of the differences in systems of vocational training. In particular, in the case of countries where vocational training is largely carried out by means of apprenticeship and measures in favour of regional or minority languages are therefore difficult to apply, it enables the parties at least to accept the more stringent requirements in the field of general secondary education.
85. The provisions concerning university and adult education are comparable to those for other levels of education in as much as they offer an alternative between teaching in the regional or minority language and teaching of it as a subject of education. Moreover, as in the case of pre-school education, a further solution is offered for those cases in which the public authorities have no direct competence for the type of education concerned. In certain States, the number of speakers of a regional or minority language might be judged insufficient for the provision of university education in or of that language. In this connection, the example has been cited of States which, by virtue either of a specific agreement or of a general agreement on the recognition of diplomas, recognise the university degree obtained by a speaker of a regional or minority language at a university of another State in which the same language is used.
86. Paragraph 1.g is motivated by a concern not to isolate the teaching of regional or minority languages from their cultural context. These languages are often related to a separate history and specific traditions.

This history and regional or minority culture constitutes a component of Europe's heritage. It is accordingly desirable that non-speakers of the languages concerned should have access to it too.

87. Where a State undertakes to guarantee that a regional or minority language is taught, it must see that the necessary means are available in terms of finance, staff and teaching aids. This necessary consequence does not need to be specified in the charter. However, where staff are concerned, the question also arises of their competence and therefore of their training. This is a fundamental aspect, which is why specific provision is made for it in paragraph 1.h.
88. Considering the fundamental importance of teaching and, more specifically, of the school system, for the preservation of regional or minority languages, the CAHLR considered it necessary to provide for a specific body or bodies to monitor what was being done in this field. The characteristics of such a supervisory institution are not specified in paragraph 1.i. It could accordingly be an education authority body or an independent institution. This function could also be conferred on the body provided for in Article 7, paragraph 4, of the charter. In any case, the charter requires the findings of the monitoring to be made public.
89. The charter normally confines the protection of regional or minority languages to the geographical area where they are traditionally spoken. But paragraph 2 of Article 8 constitutes an exception to this rule. It is motivated by the realisation that in modern circumstances of mobility the principle of territoriality may no longer be sufficient in practice for the effective protection of a regional or minority language. In particular, a substantial number of speakers of such languages have migrated to the major cities. However, in view of the difficulties involved in the extension of educational provision for regional or minority languages outside their traditional territorial base, Article 8, paragraph 2, is drafted flexibly in terms of the undertakings involved and in any case applies only where such measures are justified by the number of users of the language concerned.

## **Article 9 – Judicial authorities**

90. Paragraph 1 of this article applies to those judicial districts in which the number of residents using the regional or minority languages justifies the measures concerned. This stipulation corresponds in part to the

general rule in most of the provisions of the charter, which is concerned to protect regional or minority languages within the territory in which they are traditionally used. For higher courts located outside the territory in which the regional or minority language is used, it is then a matter for the State concerned to take account of the special nature of the judicial system and its hierarchy of instances.

91. The wording of the introductory sentence of Article 9, paragraph 1, also reflects the concern of the CAHLR to protect fundamental principles of the judicial system, such as equality of the parties and avoidance of undue delays in the process of law, against possible misuse of the facilities for recourse to regional or minority languages. This legitimate concern does not, however, justify any general restriction of a party's undertakings under this paragraph; rather, abuse of the possibilities offered will have to be determined by the judge in individual cases.
92. A distinction is made between criminal, civil and administrative proceedings and the options provided for are adapted to the particular nature of each. As is indicated by the words "and/or", some of these options may be adopted cumulatively.
93. The provisions of Article 9, paragraph 1, relate to proceedings before courts of law. Depending on the particular arrangements for the administration of justice obtaining in each State, the term "courts" should, where appropriate, be understood as covering other bodies exercising a judicial function. This is especially relevant in the case of sub-paragraph c.
94. The first option of sub-paragraphs a, b and c of Article 9, paragraph 1, employs the expression "conduct the proceedings in the regional or minority languages". This expression implies, at any rate, that the relevant regional or minority language is used in the courtroom and in those proceedings in which the party speaking this language takes part. However, it is up to each State, in the light of the particular characteristics of its judicial system, to determine the precise scope of the expression "conduct the proceedings".
95. It should be noted that paragraph 1.a.ii, whereby the parties undertake to guarantee the accused the right to use his/her regional or minority language, goes beyond the right of the accused, as laid down in Article 6, paragraph 3.e, of the European Convention on Human Rights, to have the free assistance of an interpreter if he cannot understand or speak the language used in court. Like sub-paragraphs b.ii and c.ii, it is based

on the consideration that even if speakers of a regional or minority language are able to speak the official language, when it comes to justifying themselves before a court of law, they may feel the need to express themselves in the language which is emotionally closest to them or in which they have greater fluency. It would therefore run counter to the purpose of the charter for its application to be limited to situations of practical necessity. On the other hand, given that this provision goes beyond the strictly human rights aspect by in effect giving a free choice to the accused and requires facilities to be provided in accordance with his or her decision, it was considered reasonable to allow States some discretion as to whether to accept it or not and to limit its application to certain judicial districts.

96. The purpose of paragraph 1.d is to provide that the translation or interpretation which may be rendered necessary by the application of Article 9, paragraphs 1.b and c, shall be free of charge. In the case of those States which do not choose this sub-paragraph, it is up to them to resolve this question either according to the existing legal provisions or by adopting new, specific provisions which would take account of the need to promote regional or minority languages. Consequently, the costs could be borne wholly or partly by the person who makes the request for a given act, or shared among the parties, etc.
97. Paragraph 2 concerns the validity of legal documents drawn up in a regional or minority language. Its scope is in fact limited in as much as it does not indicate all the conditions for the validity of a legal document but confines itself to stipulating that the fact that a document is drafted in a regional or minority language cannot by itself alone be a ground for denying its validity. Moreover, it does not preclude a State from providing for additional formalities in such a case, for example the need for a particular formula of certification to be added in the official language. Paragraph 2.b implies that the contents of the document invoked by the party using the regional or minority language are made known, directly or indirectly (advertisement, State information service, etc.), to the other party or to interested third parties who do not speak the regional or minority language, in a form they can understand.
98. The application of Article 9, paragraph 2, is without prejudice to the application of treaties and conventions on mutual assistance in legal matters, in each of which the question of the languages to be used is explicitly dealt with.

99. Paragraph 3 concerns the translation of legislative texts into regional or minority languages. The phrase “unless they are otherwise provided” refers to cases where the text already exists in a regional or minority language because it has already been translated into a similar or identical language which is the official language of another State.

## **Article 10 – Administrative authorities and public services**

100. The purpose of this article is to allow the speakers of regional or minority languages to exercise their rights as citizens and fulfil their civic duties in conditions that respect their mode of expression.
101. The provisions are mainly designed to improve communication between the public authorities and those who use regional or minority languages. It is true that social and cultural situations have evolved in such a way that the very great majority of the people speaking these languages are bilingual and able to use an official language in order to communicate with the public authorities. However, allowing the use of regional or minority languages in relations with those authorities is fundamental to the status of these languages and their development and also from a subjective standpoint. Clearly, if a language were to be completely barred from relations with the authorities, it would in fact be negated as such, for language is a means of public communication and cannot be reduced to the sphere of private relations alone. Furthermore, if a language is not given access to the political, legal or administrative sphere, it will gradually lose all its terminological potential in that field and become a “handicapped” language, incapable of expressing every aspect of community life.
102. Article 10 distinguishes, in the types of action taken by the public authorities, three categories:
- action by administrative authorities of the State: that is to say the traditional acts of the public authorities, especially in the form of the exercise of public prerogatives or powers under ordinary law (paragraph 1);
  - action by local and regional authorities, that is general sub-national territorial authorities with powers of self-government (paragraph 2);
  - action by bodies providing public services, whether under public or private law, where they remain under public control: postal services, hospitals, electricity, transport, and so on (paragraph 3).

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103. In each field, with suitable adaptations to the specific nature of the authorities or bodies concerned, account is taken of the diversity of linguistic situations. In some cases the characteristics of the regional or minority language allow it to be recognised as a “quasiofficial” language, thus making it, on its territory, a working language, or the normal means of communication, of the public authorities. (Recourse to the official or most widely-spoken language remains the norm in contacts with persons who do not speak the regional or minority language.) Alternatively, the language may at least be used in relations which such authorities may have with persons who address them in that language. Where, however, the objective situation of a regional or minority language makes such solutions impracticable, minimum undertakings are provided to safeguard the position of the speakers of the language concerned: oral or written applications or documents may legitimately be submitted in the regional or minority language, but without entailing any obligation to reply in that language.
  104. The undertakings of the parties in paragraphs 1 and 3 are qualified by the phrase “as far as this is reasonably possible”. This proviso is not intended to be a substitute for the exercise of the faculty, accorded to the parties by Articles 2, paragraph 2 and 3, paragraph 1, of omitting some of the provisions of Part III of the charter from their undertakings in respect of each particular language. However, it does seek to take account of the fact that some of the measures provided for have significant implications in terms of finance, staffing or training. An acceptance of a particular provision with respect to a given language necessarily entails a commitment to provide the resources and make the administrative arrangements required to render it effective. Nevertheless, it is recognised that there may be some circumstances in which total and unqualified application of the provision in question is not, or not yet, realistic. The phrase “as far as this is reasonably possible” allows the parties, in the implementation of the relevant provisions, to determine in individual cases whether such circumstances obtain.
  105. The terms of paragraph 2, and in particular the undertaking of the parties to “allow and/or encourage”, are drafted so as to take account of the principle of local and regional autonomy. They do not signify that less importance is attached to the application of the provisions set out therein, which concern the public authorities closest to the citizen. More generally, the CAHLR was aware that the application of some of

the charter's provisions falls within the competence of local or regional authorities and may entail substantial costs for those concerned. The parties should ensure that the implementation of the charter respects the principle of local autonomy as defined in the European Charter of Local Self-Government, and in particular its Article 9, paragraph 1, which stipulates that: "Local authorities shall be entitled, within national economic policy, to adequate financial resources of their own, of which they may dispose freely within the framework of their powers."

106. Paragraph 2.a provides for the use of regional or minority languages "within the framework" of the regional or local authority. This formulation is intended to indicate that a regional or minority language may be used as a working language by the authority concerned; however, it does not imply that the regional or minority language may be used when communicating with central government.

## **Article 11 – Media**

107. The time and space which regional or minority languages can secure in the media is vital for their safeguard. Today no language can keep its influence unless it has access to the new forms of mass communications. The development of these throughout the world and the progress of technology are leading to the weakening of the cultural influence of less widely spoken languages. For the major media, especially television, the size of the audience is generally the decisive factor. But regional and minority languages represent a small cultural market. Despite the new opportunities offered them by the advances in broadcasting technology, it remains true that to have access to the media they need public support. However, the media constitute a field where public intervention is limited and action by means of regulations is not very effective. The public authorities act in this field essentially by encouragement and the provision of aid. With a view to ensuring that such encouragement and aid is provided in support of regional or minority languages, the charter asks States to give undertakings on various levels.
108. The measures provided for in this article are for the benefit of the users of regional or minority languages within the respective geographical areas of those languages. However, the wording of paragraph 1 in this respect, which differs from the formulation in other articles, takes account of the special nature in particular of the audio-visual media. Thus even if the measures are taken with reference to a particular territory, their effects

may extend well beyond it; on the other hand, the measures need not be taken within the territory in question, provided that they benefit those who live there.

109. It is recognised that the public authorities in the different States have varying degrees of control over the media. For this reason it is specified in paragraphs 1 and 3 that the extent of their commitment is determined by the extent of their competence, powers or legitimate role in this field. It is underlined, moreover, that in every country the legitimate role of the State in creating the legal framework and conditions within which the purpose of this article can be achieved is circumscribed by the principle of the autonomy of the media.
110. Paragraph 1 of Article 11 makes a distinction between the undertakings which are proposed for the benefit of regional or minority languages in the field of radio and television, according to whether or not the latter carry out a public service mission. Such a mission, which may be performed by a public or private broadcasting body, involves the provision of a broad range of programmes including the consideration of minority tastes and interests. In this context the State can make provision (for instance, in legislation or in the broadcaster's specifications) for the broadcasting of programmes in regional or minority languages. Subparagraph a deals with this situation. On the other hand, where broadcasting is conceived as a purely private-sector function, the State can do no more than "encourage and/or facilitate" (sub-paragraphs b and c). Only the latter situation applies to the written press (sub-paragraph e). Where relevant, the undertaking given by the parties includes the allocation of the necessary frequencies to those broadcasting in regional or minority languages.
111. However minimal the role of the State may be in relation to the media, it normally at least retains the power to guarantee freedom of communication or take measures involving the elimination of obstacles to such freedom. For this reason, paragraph 2 does not contain the same proviso as paragraph 1 concerning the extent of the competence of public authorities. The undertaking to guarantee freedom of reception relates not only to obstacles deliberately placed in the way of the reception of programmes broadcast from neighbouring countries but also to passive obstacles resulting from the failure of the competent authorities to take any action to make such reception possible.

112. In view of the fact that broadcasts from a neighbouring State may not be subject to the same legitimate conditions as those produced on the relevant party's own territory, the third sentence of this paragraph introduces a safeguard which is worded in the same terms as Article 10, paragraph 2, of the European Convention on Human Rights concerning freedom of expression. It should be pointed out, however, with respect to television, that for those States which are Parties to the European Convention on Transfrontier Television, the circumstances and conditions under which the freedoms guaranteed by Article 11, paragraph 2, of the charter can be restricted will be determined by that convention, in particular by the principle of non-restriction of the retransmission on their territories of programme services which comply with the terms of the Convention on Transfrontier Television. Moreover, the provisions of this paragraph do not affect the need for copyright to be respected.
113. Article 11, paragraph 3, provides for the representation of the interests of the users of regional or minority languages in the bodies responsible for ensuring media pluralism. Such structures exist in most European countries. The words "or taken into account" were inserted in response to the possible difficulties involved in determining who were the representatives of the users of these languages. However, the CAHLR considered that it was sufficient that the linguistic groups be represented on similar terms to other categories of the population. This could be arranged, for example, through the bodies representing regional or minority languages which are provided for in Article 7, paragraph 4, of the charter.

## **Article 12 – Cultural activities and facilities**

114. In this field, as in the case of Article 11, States are asked to commit themselves to the extent to which the public authorities have competence, powers or a legitimate role, enabling them to take effective action. However, since the public authorities have an undoubted influence on the conditions in which cultural facilities are used, the charter requires them to see that regional or minority languages have an appropriate place in the functioning of such facilities.
115. In paragraph 1.a States are asked in general to encourage initiatives typical of the modes of cultural expression specific to regional or minority languages. The means for this support are those usually drawn on for cultural promotion purposes. The expression "the different means of access to works..." covers – depending on the type of cultural activity

concerned – publication, production, presentation, diffusion, transmission, and so on.

116. By reason of their limited number of speakers among the population, regional and minority languages do not have the same cultural productivity as the more widely-spoken languages. In order to promote their use and also allow their speakers access to a vast cultural heritage, it is therefore necessary to have recourse to the techniques of translation, dubbing, post-synchronisation and subtitling (paragraph 1.c). The avoidance of cultural barriers implies, however, a two-way process. It is therefore essential to the viability and status of regional or minority languages that important works produced in them should become known to a wider public. That is the purpose of paragraph 1.b.
117. With regard to the functioning of cultural institutions, that is to say of bodies whose function it is to undertake or support cultural activities in a variety of forms, States are asked to see that such institutions accord sufficient importance in their programmes to the knowledge and use of regional or minority languages and to their attendant cultures (Article 12, paragraph 1.d to f). The charter cannot of course specify how regional or minority languages are to be incorporated in the activities of these institutions. It speaks simply of making “appropriate allowance” for them. The role of States in this sphere is generally one of guidance and supervision; they are not asked to further this objective themselves, but merely to “ensure” that it is pursued.
118. The charter also provides for the creation for each regional or minority language of a body responsible for collecting, keeping a copy of and disseminating works in that language (Article 12, paragraph 1.g). Having regard to the weak situation in which many regional or minority languages find themselves, it is necessary to organise this type of work systematically, the manner of its organisation being left to States to decide. For the purposes of the implementation of this paragraph g, it may be necessary for certain States to adapt their legislation on legal deposit and archives so that the body envisaged can take part in the conservation of works in regional or minority languages.
119. The application of Article 12, paragraph 1, relates to the territory in which regional or minority languages are used, even though it is recognised that in practice many of its provisions have implications extending beyond that territory. However, having regard to the nature of cultural promotion

and to needs arising outside of the areas in which the languages are traditionally used (in particular as a result of internal migration), Article 12, paragraph 2, introduces provisions corresponding to those of Article 8, paragraph 2.

120. All countries seek to promote their national culture abroad. In order to give a complete and faithful picture of that culture, such promotion should not neglect regional or minority languages and cultures. This undertaking, which is provided for in Article 12, paragraph 3, constitutes one way of applying the principle of the recognition of regional or minority languages embodied in Article 7, paragraph 1.a, of Part II of the charter.

### **Article 13 – Economic and social life**

121. In the economic and social systems which characterise the Council of Europe countries, intervention by the public authorities in economic and social life is mainly confined to the promulgation of laws and regulations. In these circumstances, the possibilities of action on the part of the authorities to see that regional or minority languages receive due consideration in these sectors are limited. Nevertheless, the charter provides for a certain number of measures in this field. It seeks, on the one hand, to eliminate measures to ban or discourage the use of such languages in economic and social life and proposes, on the other hand, a number of positive measures.
122. The provisions of Article 13, paragraph 1, give concrete application to the principle of non-discrimination. This is why they are intended to apply throughout the territory of contracting States and not only in the parts of that territory where regional or minority languages are used.
123. Article 13, paragraph 2, of the charter lists various concrete measures in support of regional or minority languages in this sector. For practical reasons, they are confined to the geographical areas in which these languages are used. With regard to the proviso “as far as this is reasonably possible”, reference should be made to the explanations under Article 10 above (see paragraph 104). Finally, the undertakings of the parties extend only as far as the public authorities have competence, a proviso which, however, is relevant only to subparagraph c.

## Article 14 – Transfrontier exchanges

124. This article expands and develops the idea set out in Article 7, paragraph 1.i, and reference is therefore made to the explanations given above (see paragraphs 69-70).
125. In many fields, transfrontier co-operation develops between the neighbouring regions of different States. It is noted that in certain cases such a situation could still be seen as a problem in terms of territorial integrity. With European States now moving closer together, however, it now presents an opportunity for the States concerned to employ a “cultural factor” to enhance their mutual understanding. The Council of Europe has drawn up an outline convention on transfrontier co-operation at local and regional level. While it is desirable that such co-operation should develop in a general manner, paragraph b underlines that this is particularly the case where one and the same regional language is spoken on either side of the border.
126. The co-operation envisaged may extend to such matters as school twinnings, teacher exchanges, the mutual recognition of diplomas and qualifications, the joint organisation of cultural activities, the further circulation of cultural assets (books, films, exhibitions, etc) and the transfrontier activities of cultural agencies (theatre companies, lecturers, etc). In some circumstances, it may also be a satisfactory (and less expensive) means of implementing undertakings entered into under other articles of the charter: for example, with respect to the provision of higher education facilities as laid down in Article 8, paragraph 1.e, a bilateral agreement could make arrangements for the students concerned to attend appropriate institutions in a neighbouring state.

## PART IV APPLICATION OF THE CHARTER

### Articles 15-17

127. To enable its application to be monitored by the Council of Europe, its member States and the general public, the charter has opted for a system of periodical reports by the parties on the action taken in pursuance of its provisions. The reports are triennial; however the first report, which is intended to describe the situation of the regional or minority languages

at the time when the charter enters into force for the State concerned, is to be presented within one year of that date.

128. In order to ensure the efficiency of this system for monitoring the implementation of the charter, the latter provides for the setting up of a committee of experts to examine the reports submitted by the various parties. It will also be possible for the committee of experts to be approached by bodies or associations wishing to supply further information or describe specific situations relating to the application of the charter, especially Part III thereof (Article 16, paragraph 2). Only bodies legally established in one of the parties will have access to this committee of experts for matters concerning that party. The purpose of this rule is to prevent groups whose headquarters is outside the party concerned by the application of the charter from using the monitoring system set up under it to generate discord among the parties.
129. It should be emphasised that this is not a quasi-judicial complaints procedure. The committee of experts is merely instructed to monitor the implementation of the charter and receive information to that end. The bodies referred to in Article 16 may not ask it to act as a more or less judicial appeal body.
130. The committee of experts may verify any information submitted with the States concerned and must call on them for further explanations or information for the purposes of carrying out its investigations. The results will be communicated to the Committee of Ministers, together with the comments of the States concerned, on the occasion of the presentation of the experts' reports. Although it might appear that, in the interests of openness, these reports should be published automatically, it was felt that, since they might contain proposals for recommendations which the Committee of Ministers might make to one or more States, it should be left up to the Committee of Ministers to judge case by case to what extent the reports should be published.
131. The number of members of the committee of experts will be the same as the number of parties to the charter. They must be persons of recognised competence in the field of regional or minority languages. At the same time, by placing emphasis on the intrinsically personal trait of the "highest integrity", the charter makes clear that the experts appointed to the committee, in carrying out their task, should be free to act independently and not be subject to instructions from the governments concerned.

132. This machinery for the monitoring of the application of the charter by a committee of experts will make it possible to assemble a body of objective information concerning the situation of regional or minority languages, while respecting to the full the specific responsibilities of states.

## **PART V**

### **FINAL PROVISIONS**

133. The final clauses contained in Articles 18 to 23 are based on the model final clauses for conventions and agreements concluded within the Council of Europe.
134. It was decided not to include among these final provisions a territorial clause enabling States to exclude part of their territories from the scope of the charter. This is because it is already an intrinsic characteristic of the present charter that it is concerned especially with particular territories, namely those on which regional or minority languages are used; moreover, contracting States already have the right, under Article 3, paragraph 1, to specify those regional or minority languages to which their detailed undertakings will apply.
135. Under Article 21, the parties have the right to make reservations only in respect of paragraphs 2 to 5 of Article 7 of the charter. The CAHLR considered that contracting States should not have the possibility to make reservations with regard to Article 7, paragraph 1, since this paragraph contains objectives and principles. As far as Part III is concerned, it took the view that, in a text which already allowed the parties so much choice as to the undertakings they entered into, reservations would be inappropriate.
136. In view of the importance of the subject-matter of the charter for many States which are not, or not yet, members of the Council of Europe, it was decided that the charter should be an open convention, to which non-member States may be invited to accede (Article 20).



# Decisions of the Committee of Ministers relating to the monitoring procedure

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## Entry into force of the European Charter for Regional or Minority Languages (ETS No. 148)

*(Adopted by the Committee of Ministers on 18 December 1997, at the 613th meeting of the Ministers' Deputies)*

### DECISIONS

#### The Deputies

1. invited the Contracting Parties to the European Charter for Regional or Minority languages to submit, by 1 March 1998, three candidates of the highest integrity and recognised competence in the matters dealt with the Charter, to the committee of experts representing the Contracting Parties;
2. decided to proceed to the appointment of the experts immediately after the submission of nominations;
3. noted that the Secretariat will prepare an outline national report, as required by article 15 of the Charter, and that such an outline, after obtaining the opinion of the committee of experts, will be submitted for approval to the Committee of Ministers which will decide, in particular, on the form of the report.

# Publication of the questionnaires submitted to Governments on the national reports and the replies to them

*(Adopted by the Committee of Ministers on 7 April 2004, at the 880th meeting of the Ministers' Deputies)*

## **DECISION**

The Deputies agreed that the questionnaires addressed by the Committee of Experts of the European Charter for Regional or Minority Languages to the States Parties, and the replies to them, would be made public at the same time as the publication, in conformity with Article 16, paragraph 3 of the Charter, of the evaluation report adopted and submitted by the Committee of Experts, unless a State Party agreed to this being done at an earlier stage.

# Strengthening the monitoring mechanism of the European Charter for Regional or Minority Languages

*(Adopted by the Committee of Ministers on 28 November 2018, at the 1330th meeting of the Ministers' Deputies)*

## DECISIONS

The Deputies, having consulted the Committee of Experts of the European Charter for Regional or Minority Languages (ETS No. 148, hereafter “the Charter”), and noting that there is consensus among the States Parties to the Charter on the changes to be made in the operation of its monitoring mechanism,

1. decided as follows with effect from 1 July 2019:
  - a) the Parties shall present every five years periodical reports on the implementation of the Charter and two and a half years thereafter information on the implementation of a limited number of recommendations, if any, namely only those that have been identified by the Committee of Experts in its evaluation report as being for immediate action;
  - b) while emphasising that the Charter and the Framework Convention for the Protection of National Minorities (ETS No. 157, hereafter “the Framework Convention”) have distinct aims and purposes and that they remain two separate instruments, giving rise to distinct obligations, with separate monitoring mechanisms and expert committees, the Parties to the Charter which are also Parties to the Framework Convention shall present their periodical reports on the Charter and on the Framework Convention by the dates set out in the Appendix. During a transition period of five years starting from the date the present decisions take effect, information on recommendations for immediate action from the Committee of Experts’ evaluation report shall be presented by the dates set out in the Appendix;

- c) if a Party has not presented its periodical report or, where relevant, information on the implementation of the recommendations for immediate action five months after the due date and where two reminders have been made by the Secretariat General, the Chair of the Deputies shall address a letter to the Party concerned inviting it to submit the report or information without further delay;
  - d) the Committee of Experts is authorised to submit a proposal to the Deputies regarding the commencement of the monitoring of the Charter without a periodical report when a Party is more than twelve months behind in submitting a report, together with the information received from this Party concerning the reasons for the delay. In so doing, the Committee of Experts shall invite the Deputies to take a decision on the matter without a debate, unless at least one delegation requests that the matter be discussed;
  - e) a Party may submit comments on the Committee of Experts' evaluation report within two months of its transmission. In these comments, the Party may ask the Committee of Experts for a confidential dialogue, which functions according to rules established by the Committee of Experts. Where the Party does not ask for a confidential dialogue, the evaluation report, together with any comments received from the Party, becomes public upon expiration of the two-month deadline where the Party does not submit comments, or upon receipt of the Party's comments, whichever is the earlier date;
  - f) in the event that a confidential dialogue has taken place, the Party may submit possible further comments within two months of the transmission of the final evaluation report, which becomes public upon receipt of any such comments from the Party, or following the expiration of the two-month deadline, whichever is the earlier date. Any such comments received from the Party become public together with the evaluation report;
2. decided that members of the Committee of Experts appointed for the first time on or after 1 July 2019 shall be eligible for reappointment once. As a transitional rule, the members in office on that date may be appointed to serve another term; the term of members in office on that date who are completing their predecessor's term shall be extended to a total period of six years;

3. encouraged wider use of the Committee of Experts' rapid reaction capacity and ad hoc missions, as foreseen in its Rules of Procedure, and encouraged the Committee to keep the pertinent rules under review;
4. noted that the reflection document "Strengthening the monitoring mechanism of the European Charter for Regional or Minority Languages" (CM(2018)165) provided useful background information to the present decisions.

## APPENDIX

Alignment of periodical reports on the European Charter for Regional or Minority Languages (ECRML) and on the Framework Convention for the Protection of National Minorities (FCNM) and information on the implementation of recommendations for immediate action under the Charter (2020-2024)

STATE PARTY	2020	2021	2022	2023	2024
Armenia		1-May*			1-May
Austria	1-Oct			1-Apr	
Bosnia and Herzegovina		1-Jun		1-Dec	
Croatia	1-Mar*			1-Mar	
Cyprus		1-Dec*			1-Feb
Czech Republic	1-Mar*			1-Mar	
Denmark	1-Jan*			1-Jan	
Finland	1-Mar*			1-Mar	
Germany		1-Jul			1-Jan
Hungary	1-Mar*			1-Mar	
Liechtenstein	1-Mar*			1-Mar	
Luxembourg		1-Oct			1-Apr
Montenegro			6-Jun		6-Dec
Netherlands		1-Jun		1-Dec	
Norway	1-Jul			1-Jan	
Poland			1-Jun		1-Dec
Romania		1-May*			1-Feb
Serbia			1-Sep		1-Mar 25
Slovak Republic		1-Jan*			1-Jan
Slovenia	1-Jan*			1-Jan	

Spain	1-Aug*			<b>1-Aug</b>	
Sweden		<b>1-Jun</b>		1-Dec	
Switzerland	<b>1-Dec</b>			1-Jun	
Ukraine			1-Jan*		<b>1-May</b>
United Kingdom	1-Jul*			<b>1-Jul</b>	

Date	► Dates for submission of ECRML information on implementation of recommendations for immediate action
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<b>Date</b>	► Dates for submission of ECRML and FCNM periodical reports
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<b>Date</b>	► Dates for submission of ECRML periodical report
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<b>Date</b>	► Dates for submission of FCNM periodical report and of ECRML information on implementation of recommendations for immediate action
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\* This date replaces the date for submission of the Language Charter periodical report provided such a report was submitted in 2017, 2018 or first half of 2019. Otherwise, a periodical report should be submitted by this date.

## REFLECTION DOCUMENT

CM(2018)165

### Introduction

1. At the meeting of the Rapporteur Group on Legal Co-operation (GR-J) on 30 January 2018, the Chair, Ambassador Eva Tomič, Permanent Representative of Slovenia, invited the Secretariat to prepare reflection points on the strengthening of the monitoring mechanism of the European Charter for Regional or Minority Languages (hereafter the Language Charter) to be considered by the GR-J at a future meeting.
2. The GR-J held an initial exchange on a first version of this document (GR-J(2018)8-rev) at its meeting on 29 May 2018. Furthermore, the Conference on the occasion of the 20th anniversary of the Language Charter and the Framework Convention for the Protection of National Minorities (hereafter the Framework Convention), held in Strasbourg on 18-19 June 2018 under the Croatian Chairmanship of the Committee of Ministers, reflected on how the monitoring mechanisms of the two conventions can be reinforced to effectively respond to developments since they were established.<sup>1</sup> Finally, on 19 June 2018, Ambassador Eva Tomič held an exchange with the Committee of Experts of the Language Charter (hereafter the Committee of Experts) on the reform proposals. The Secretariat has redrafted this document taking into account all of these discussions.
3. The Language Charter entered into force 20 years ago and has been ratified by 25 States. Its implementation by the States Parties is monitored by the independent Committee of Experts on the basis of national periodical reports (hereafter “periodical reports”) submitted by the States Parties.
4. In the course of its implementation, a number of challenges have emerged which call for action in order to maintain the effectiveness of the monitoring mechanism and preserve its authority and credibility. Amongst these challenges, the non-compliance with the monitoring cycle by a number of States Parties and, in some cases, the late adoption of the Committee of Ministers’ Recommendations, and thus the late publication of Committee of Experts’ evaluation reports, are of particular concern.

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1. Conclusions of the Conference Rapporteur, available at: <https://rm.coe.int/20th-anniversary-conclusions-by-philippe-boillat-19-june-2018-en/16808bbfc4>.

5. In order to address the above-mentioned challenges, the present paper contains a set of complementary reform proposals, setting out in each case the main arguments, with a view to:
  - A. Adjusting the monitoring cycle;
  - B. Ensuring the timely submission of periodical reports;
  - C. Enhancing the accuracy of evaluation reports and ensuring that they are published within a reasonable time after their adoption;
  - D. Increasing member turnover in the Committee of Experts.

The proposals A, B and C would work to their full effect if implemented together and should be seen as a package.

## **The reform proposals**

### ***A. Adjusting the monitoring cycle***

#### **A longer reporting period**

6. The Language Charter operates a three-year monitoring cycle, with the first periodical report due one year after the entry into force of the Language Charter in respect of that country; subsequent reports are due every three years thereafter. Following receipt of a periodical report, the Committee of Experts undertakes its on-the-spot visit and prepares and adopts its evaluation report containing findings and recommendations concerning the situation of the State Party's regional or minority languages, as well as proposals for recommendations to be addressed to the State Party by the Committee of Ministers. The Language Charter is the only monitoring mechanism of the Council of Europe to operate a three-year monitoring cycle, which was designed, *inter alia*, to initiate swift action supporting languages that are in danger of assimilation or even eventual extinction.
7. A five-year cycle is the most common practice among the monitoring bodies of the Council of Europe, including the Framework Convention, the European Commission against Racism and Intolerance (ECRI), the Group of States against Corruption (GRECO) and the Group of Experts on Action against Trafficking in Human Beings (GRETA), while the European Social Charter uses a four-year monitoring cycle and Moneyval uses a six-year evaluation cycle.

8. Despite the treaty requirement to report every three years, delays in the submission of periodical reports have been a regular feature. This can in turn cause a delay in commencing the next monitoring cycle. It also implies that some States Parties may require more time to react to the previous evaluation report's recommendations than currently available with the three-year cycle.
9. It may be deemed useful, then, to review the functionality of the reporting system for the Language Charter. The example of the European Social Charter is very relevant. In 2006, the Committee of Ministers adopted a decision which divided the provisions of the Social Charter into four thematic groups, with States Parties reporting on provisions made for one of the thematic groups annually.<sup>2</sup> Each provision of the Social Charter is therefore reported on once every four years, which differs from the original wording of Article 21 of the Charter of 1961 (ETS No. 35) which provides for a biennial reporting system. Furthermore, in 2014, the Committee of Ministers adopted further changes to the Social Charter's monitoring system, aiming to simplify the reporting system for States Parties which have accepted the Collective Complaints procedure. These States Parties now have to submit a simplified report every two years, whilst the remaining States continue to send normal reports annually.<sup>3</sup> The revision of the Social Charter reporting system was adopted by the Committee of Ministers by unanimous decision. It therefore provides a precedent for a review and reform of the Language Charter's reporting system.
10. In light of this, it could be envisaged that, following consultations with the Committee of Experts, the Committee of Ministers *adopt a decision requesting that Language Charter States Parties submit their periodical reports at five-year intervals, with a shorter mid-term report of more limited scope being submitted halfway through their monitoring cycle to follow up on the evaluation report's recommendations for immediate action only.* The

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2. 'New system for the presentation of reports on the application of the European Social Charter', Decision CM/Del/Dec(2006)963/4.2.

3. 'Ways of streamlining and improving the reporting and monitoring system of the European Social Charter', CM(2014)26, adopted at the 1196<sup>th</sup> meeting of the Ministers' Deputies.

five-year reports would contain comprehensive information about the application of the treaty and replace the current three-year reports<sup>4</sup>.

11. An advantage of extending the cycle to five years would be to provide States Parties with more time to take practical measures or introduce legislation in order to comply with the Committee of Experts' and the Committee of Ministers' recommendations, and to report on such changes. It would also allow the State Party in question more time to gather the necessary detailed information for the next periodical report.
12. This extension of the cycle to five years should be combined with gradually bringing the cycles of the Language Charter and the Framework Convention closer together in time for States that are Parties to both treaties. This would allow increased coordination between their monitoring mechanisms and secretariats, whilst respecting the individual scope of application of both instruments and differences in accession. This would be advantageous and less burdensome for these States Parties, which could gather and present the relevant information concerning the Language Charter and the Framework Convention concurrently, enabling the Council of Europe to provide a comprehensive evaluation of the situation of national minorities and regional or minority languages every five years. This may, in turn, reduce the incidence of late submission under both the Framework Convention and the Language Charter since, at present, when a report to either one of the monitoring bodies is late, it is, in some cases, submitted in line with the other monitoring cycle's timeframe. Such delays in the periodical reports for one of the monitoring bodies would be reduced by bringing closer together the two monitoring cycles. Co-operation, within their respective mandates, between the two independent monitoring bodies would naturally increase. It would also be more effective to coordinate visits to States Parties, without necessarily having them take place simultaneously given their distinct methodologies and undertakings to monitor; any visit, whether simultaneous or not, would be organised in consultation with the State Party concerned. In this regard, information would be shared more easily between the Advisory Committee of the Framework Convention and the Committee of Experts of the Language Charter and their respective secretariats, whilst ensuring and upholding the

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4. A proposal for a revised outline (MIN-LANG (98)7, MIN-LANG (2009) 8) reflecting the new five-year duration of the cycles and simplifying the structure of the periodical reports would be presented to the Committee of Ministers for approval.

independence of these two distinct bodies as two separate treaties with two different methodologies, expert committees, secretariats and areas of competence.

13. A transitional period would be needed with a view to bringing the reporting cycles closer together in time. This period would last for a maximum of five years following the date of the decision on the adjustment of the monitoring cycle of the Language Charter. Further discussions between the monitoring bodies and States Parties would be necessary to finalise the exact details of the transitional period.

### **A mid-term report**

14. If the Committee of Ministers were to make the proposed adjustment to the Language Charter's monitoring cycle, it should be taken into consideration that with the present three-year cycle, the Committee of Experts is able to assess the protection of regional or minority languages and the implementation of its recommendations soon after the previous monitoring cycle. Information provided by the States Parties at short intervals enables the Committee of Experts to respond quickly and effectively to protect regional or minority languages, some of which are in danger of assimilation or eventual extinction. With the extension of the monitoring cycle, the concern could be raised that the Committee of Experts may lose this ability due to a less frequent submission of information from States Parties.
15. It should be recalled that the Committee of Experts to a certain extent already has the possibility to consult and begin a dialogue with a State Party and to adopt statements on current developments that might have an adverse effect on regional or minority languages. The Committee of Experts may take such action on its own initiative, on the basis of statements received from non-governmental organisations, or at the request of the Committee of Ministers, a state (or indeed any number of states), or the Secretary General. However, these are essentially ad hoc procedures and cannot meaningfully compensate for the extension of the monitoring cycle.
16. In order to address this concern, it is therefore proposed that the Committee of Ministers *adopt a decision asking States Parties to submit mid-term reports on the recommendations only for immediate action half-way through their monitoring cycle*. During the drafting of the Language Charter, three years was the maximum length of monitoring cycle

discussed and so it could be considered necessary and beneficial to maintain this frequency of monitoring, which would be ensured by the mid-term reports. They would be distinct from the five-year periodical reports in that they would be concise documents focusing on measures taken to implement the recommendations for immediate action of the previous evaluation report. This would be similar to the practice of ECRI, which asks for a follow-up report on its specific priority recommendations no later than two years following the publication of the full evaluation report.

17. The mid-term reporting of the States Parties would thus not be comparable to the reporting for the periodical report. The mid-term national report should consist only of concise and focused information on measures taken to implement the recommendations for immediate action from the previous Committee of Experts' evaluation report. This would not lead to another full round of monitoring, but constitute an opportunity for the State Party to demonstrate how it has responded to the most urgent issues raised by the Committee of Experts, as is the case with regard to ECRI two years after the previous full evaluation report. The work involved on the part of both the State Party and the Committee of Experts would be considerably less than that required for the full periodical report. A detailed picture of the situation of regional or minority languages would only be required at the end of the full five-year monitoring cycle.
18. The Committee of Experts may choose to respond to the mid-term report if it considers that the information contained therein warrants a response. In the case of ECRI, where a follow-up report is requested from the government concerned two years after publication of the full evaluation report on that country, a brief report by ECRI is drafted stating whether the State Party is implementing the key recommendations from the previous report. A similar system could be proposed for the Language Charter, whereby the Committee of Experts assesses the implementation of the recommendations for immediate action, but without issuing further recommendations. As with ECRI's follow-up reports, mid-term reports would be submitted to the Committee of Ministers for information.
19. Without mid-term reporting, the five-year cycle would arguably be too far removed from the reporting frequency foreseen by the drafters and give rise to concern that the Committee of Experts might lose some of its oversight and not protect regional or minority languages sufficiently.

20. Overall, the adjustment of the monitoring cycle should serve to strengthen the monitoring mechanism of the Language Charter, whilst upholding the principle of regular evaluation as set out in the Charter itself. It should increase efficiency through the promotion of co-operation between the Language Charter and the Framework Convention and is supportive of the overall monitoring mechanism of the Language Charter as well as the aim and purpose of the Charter itself. The result would also be an overall decrease in the reporting burden on States Parties.

### ***B. Ensuring timely submission of periodical reports***

21. Over time, the Language Charter has experienced some considerable delays in the submission of periodical reports. This may in part be remedied by the adjustment of the monitoring cycle, but further measures may be needed to avoid such delays.
22. On 30 January 2008, the Committee of Ministers adopted the following decision: *“The Deputies agreed that in a situation where a national report under the European Charter for Regional or Minority Languages has not been submitted to the Secretary General of the Council of Europe within the set deadline and where several reminders have been made at the Secretariat level, their chairman would address a letter to the state party concerned inviting it to submit the report without further delay.”*<sup>5</sup> This decision, however, does not specify when exactly the procedure could be initiated by the Secretariat, nor how many (“several”) reminders are needed. In order for this to be more efficiently applied, the Secretariat has worked out a precise procedure, whereby it will be sending out two reminders, one month and three months after the deadline for the submission of the periodical report.<sup>6</sup> If five months after the passing of the deadline for submission, there is still no report, the Chair of the Deputies will be invited to send out a reminder on behalf of the Deputies, requesting the submission of the report without further delay.
23. Following this series of reminders sent by the Secretariat and then by the Chair of the Deputies and in the event of the continued failure of a State Party to submit a periodical report for twelve months following the deadline for submission, it is proposed that the Committee of Ministers *adopt a general decision, establishing a system whereby the Committee of*

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5. CM/Del/Dec(2008)1016/10.4.

6. MIN-LANG (2013) 19, para. 2.

*Experts may begin its monitoring process – including the organisation and carrying out of an on-the-spot visit to the State Party – without a periodical report. The possibility of thus initiating the evaluation, designed to be used as a last resort, would strengthen the monitoring mechanism of the Language Charter. The Committee of Experts would request authorisation from the Committee of Ministers for each case where this system would be used.*<sup>7</sup>

24. In the case of the Framework Convention, for instance, where serious delays in receiving the periodical report have also been incurred, the Advisory Committee may begin monitoring without having received a periodical report. This procedure was accepted by the Committee of Ministers on 19 March 2003.<sup>8</sup> As a result, monitoring without a periodical report is currently possible, upon the Committee of Ministers' authorisation in each case. It has so far not been necessary to use this system, which may be interpreted as indicative of its efficiency. Such a decision taken with regard to the Language Charter would ensure that non-state actors could continue to raise their concerns with the Committee of Experts, particularly during the on-the-spot visit, without waiting for their government to submit a periodical report. It would also ensure that the period between evaluation reports does not continually increase and reduce the risk of the deterioration of the situation of regional or minority languages.

### ***C. Enhancing the accuracy of evaluation reports and ensuring that they are published within a reasonable time after their adoption***

25. It was proposed by several delegations at the meeting of the GR-J of 29 May to reinforce the accuracy of the Committee of Experts' evaluation reports by improving the system whereby the States Parties can make comments on draft reports.
26. In the current procedure for the Language Charter, the evaluation report adopted by the Committee of Experts is submitted to the State Party concerned, which is invited to make comments on the content within a two-month deadline. Comments by States Parties usually comprise

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7. MIN-LANG (2013) 19, para. 3.

8. CM/Del/Dec(2003)832/4.2 – Framework Convention for the Protection of National Minorities – Failure to comply with the reporting obligation, CM(2002)80, GR-H(2002)27, GR-H(2003)1.

information of a factual nature, for example updated statistics, but may also propose corrections to figures or similar aspects. However, in current practice, the evaluation report is not modified to reflect this new or corrected factual information received from the authorities. Instead, the comments received within the deadline are appended to the evaluation report and submitted together with this report and the proposal for the Committee of Ministers' recommendations to the Rapporteur Group. The comments thereby have the function of a self-standing corrigendum to be read in parallel to the evaluation report. This could be seen as impeding a dynamic and direct dialogue at the end of the monitoring process between the Committee of Experts and the State Party, with an inherent risk of publishing a document containing conflicting factual information.

27. This procedure could be amended in order that, following the country visit, a first reading of the draft evaluation report takes place in a plenary session of the Committee of Experts. This report is then transmitted to the State Party concerned for a confidential dialogue, allowing this State Party to make comments and point out any factual errors within a two-month deadline. Such comments would not be published. The draft evaluation report then returns to the Committee of Experts for a second reading (unless no comments are received within the deadline, in which case the report can be considered finally adopted). The Committee of Experts, in light of the comments received, might decide to change its evaluation report. Once finally adopted, the evaluation report is transmitted to the State Party concerned, which then has one month to make any final comments to be published together with the report.
28. Such a confidential dialogue system is in operation at GRETA and is considered to ensure transparency and strengthen confidence between GRETA and the national authorities as well as to improve the quality of GRETA's reports. The strict adherence to precise deadlines prevents delays and safeguards the timely publication of GRETA's evaluation reports.
29. A confidential dialogue system would also reinforce the possibility of the Committee of Experts' evaluation reports being published within a reasonable time after their adoption. The current situation regarding the publication of the Committee of Experts' reports is as follows: the evaluation report and the State comments are not published until the Committee of Ministers has adopted its Recommendations, which are proposed in the evaluation report. The Language Charter is the only monitoring mechanism which, without exception, has to wait until the

end of the entire process to have its Committee of Experts' evaluation report published.

30. Since the monitoring work of the Language Charter began, the Recommendations addressed by the Committee of Ministers to the States Parties have in most cases corresponded to the proposals made by the independent Committee of Experts in its evaluation reports. The support given by the Committee of Ministers continues to contribute to the States Parties' implementation of the Recommendations.
31. In some recent cases, however, the implementation of the Language Charter has been hampered by delays in the processing of the Committee of Ministers' Recommendations concerning an evaluation report owing to amendments proposed and debated within the GR-J. The fact that the Committee of Experts' report is not public until after the Committee of Ministers has made its Recommendations means that some countries with a varied, complex and political minority language landscape may see their evaluation reports delayed for long periods of time after the Committee of Experts has adopted its report. The risk here is that the longer the report is held at the Committee of Ministers, the less relevance the eventual Recommendations and report may have to the current situation in the State Party.
32. To resolve these delays in publication, the Committee of Ministers could *adopt a decision according to which the Committee of Experts' evaluation report would be made public at the time of receipt of the State's final comments, before its submission to the Committee of Ministers.*
33. The procedure of systematic publication of the evaluation reports is already in place within the Council of Europe as regards GRETA and GREVIO and demonstrates more transparency from the independent monitoring bodies and the States Parties.
34. For the Language Charter, a decision by the Committee of Ministers to modify the procedure to publish the evaluation report once it has been adopted by the Committee of Experts and the final State comments have been received would reflect the independent nature of the Committee of Experts' evaluation report, while underlining the political nature of the Committee of Ministers' Recommendations.<sup>9</sup> The States Parties would have an increased opportunity to respond compared to the present situa-

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9. MIN-LANG (2013) 19, para. 4.

tion, with their final comments published with the Committee of Experts' report, and then at the Committee of Ministers during the discussions on Recommendations. The practice of the Advisory Committee on the Framework Convention, in which the 'conclusions' are made public as an integral part of the Opinion of the Advisory Committee and become the working document for the resolution of the Committee of Ministers, is what is proposed for the Language Charter. This allows the public access to the entirety of the evaluation report at the point where it is most relevant and ensures the integrity of the reports themselves, but still allows States Parties to discuss and agree to the recommendations of the Committee of Ministers before they are adopted.

### ***D. Increasing member turnover in the Committee of Experts***

35. The Committee of Experts is the only monitoring body of the Council of Europe whose members have a six-year mandate, renewable an unlimited number of times. This means that there is no time limit to how long members may sit on the Committee.
36. At the meeting of the GR-J of 29 May, it was proposed by certain delegations to bring this system into line with other independent monitoring bodies of the Council of Europe. The Advisory Committee on the Framework Convention, GRETA and GREVIO all have members elected for a four-year term, renewable once. Members of the CPT are elected for a period of four years, renewable twice. The European Committee of Social Rights operates a term of six years, renewable once.
37. A system more in line with other monitoring bodies could be introduced, where the members of the Committee of Experts are appointed for mandates of six years, renewable once. This would guarantee that new perspectives could be introduced into the Committee and that there is an ongoing process of reflection, with these new members, on the work of the monitoring mechanism, aiming at a greater level of effectiveness of the Committee.
38. A transition period may be required with regard to the current experts sitting on the Committee.

### **Summary of proposals**

39. The proposals set out in the paragraphs above can be summarised as follows:

- Adjust the monitoring cycle of the Language Charter by extending the report cycle to five years and introducing mid-term reports, thereby allowing more time for States Parties to implement and report on the Charter and bringing the cycles of the Language Charter and Framework Convention closer together, enhancing efficiency, whilst following up on the recommendations for immediate action from the previous evaluation report halfway through each cycle.
  - Allow the Committee of Experts to prepare and carry out its evaluation report and on-the-spot visit without having received the periodical report, following a decision by the Committee of Ministers.
  - Enhance the accuracy of evaluation reports through a dialogue with the State Party within a strict timeframe so as not to hinder the relevance of evaluation reports by delaying their publication, as well as modify the evaluation report publication system so as to permit the publication of the Committee of Experts' evaluation report following the receipt of the State Party's final comments, thus enabling swifter dissemination of the Committee of Experts' findings and reinforcing these as an expert analysis, with the political aspect of the Committee of Ministers' Recommendations following shortly after.
  - Increase member turnover in the Committee of Experts by setting a limit to the number of times a member can be appointed, in line with other monitoring bodies of the Council of Europe.
40. Each of these measures for reform should have numerous benefits for the Language Charter. Any reform to the present publication system should make the Language Charter more transparent, more open to the public and particularly to the interest groups of regional or minority languages which the Language Charter serves to protect. Equally, allowing the Committee of Experts to begin its evaluation without a periodical report should ensure that there are fewer breaches in the cycles of the Language Charter and that no country goes unevaluated for many years beyond its new five year cycle, which in itself will allow more time for States to implement domestic policy to protect regional or minority languages and to report on any new policy. It should also allow for enhanced co-operation within the Council of Europe through a degree of coordination with the Framework Convention, which in turn would provide a detailed picture of minority language and minority rights across Europe every five years. This proposal would also make

the periodical reporting more practical for States Parties to both the Language Charter and the Framework Convention.

41. None of this would adversely affect the work of the Language Charter as adequate provision would be in place in the form of the mid-term reports to ensure that the present oversight that the Committee of Experts has is not lost through the adjustment of the monitoring cycle. Two and a half years into the monitoring cycle, every State Party should provide the Committee of Experts with a response to recommendations for immediate action which were set out in the previous evaluation report. Additionally, the introduction of a dialogue will guarantee the quality of the evaluation reports on a factual level, and the increased turnover of members of the Committee of Experts would be of benefit to its work.
42. Overall, this should provide a clearer and more transparent basis upon which the Committee of Experts can conduct its evaluations, allow States and the public to have access to and read its work more quickly, and ensure it has more relevance to current situations.

# Relevant elements concerning the requirements for appointment as a member of the Committee of Experts of the European Charter for Regional or Minority Languages

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*Reference document: GR-J(2004)2-rev*

At their 860th meeting on 12 November 2003, the Ministers' Deputies asked their Rapporteur Group on Legal Co-operation (GR-J) "to consider, on a regular basis, the *curricula vitae* of candidates to be elected as a member of the Committee of Experts of the European Charter for Regional or Minority Languages". At the request of the chairman of GR-J, the Secretariat has prepared the present document in order to assist the GR-J in determining the criteria to be applied in such examination.

Relevant provision (Article 17 para. 1 of the Charter):

"The committee of experts shall be composed of one member per Party, appointed by the Committee of Ministers from a list of individuals of the highest integrity and recognised competence in the matters dealt with in the Charter, who shall be nominated by the Party concerned."

In this respect, paragraph 131 of the explanatory report states as follows:

"The number of members of the committee of experts will be the same as the number of parties to the charter. They must be persons of recognised competence in the field of regional or minority languages. At the same time, by placing emphasis on the intrinsically personal trait of the 'highest integrity',

the charter makes clear that the experts appointed to the committee, in carrying out their task, should be free to act independently and not be subject to instructions from the governments concerned.”

Comment by the Secretariat:

Two fundamental requirements emerge from the elements referred to above: the expert’s independence and his/her recognised competence in the field.

As to the first requirement, i.e. the expert’s independence, it appears, particularly from the text of the explanatory report, that what is meant in the relevant provision is especially the expert’s independence vis-à-vis the Government authorities. Experts shall serve in their individual capacity, shall be independent and impartial in fulfilling their mandate. They shall not be subject to instructions from their governments.

As to the second requirement, i.e. a **recognised competence in the field of regional or minority languages**, the relevant provision requires in particular one of the following:

- broad legal expertise in particular in fields such as constitutional and international law,
- in-depth experience in at least one of the sectors of public life covered by the Charter (education, media, justice, public administration, culture, social and economic life) with a focus on minority language aspects
- a demonstrated expertise or specialisation in the field of language policy.

Evidence of a clear proven knowledge of and interest in the situation of regional or minority languages in the candidate’s country or at European level is desirable. Such evidence may be provided by positions held, academic publications, etc.

The above criteria should not be considered as exhaustive and the specific motivation of the expert should also be considered.

It is considered to be an asset for the Committee of Experts that its members should have a variety of educational and professional backgrounds and specialisms, so as to ensure a transversal expertise both of a general legal and linguistic nature and covering the different specific fields of application of the Charter. In the choice of experts it is advisable to consider the overall needs of the Committee in order to maintain a reasonable balance of gender, expertise and interest.

To ensure that all experts nominated by a State Party have an equal opportunity to present their qualifications, it has been suggested by some delegations that the *curriculum vitae* presented to the Secretary General of the Council of Europe should be in a standard form, inviting all experts to present the same information according to the same format. This would also facilitate the evaluation of the qualifications of the experts by GR-J and the Committee of Ministers. As this matter concerns also several other committees, the Secretariat will make a general proposal in the appropriate context.



# Rules of procedure

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## of the Committee of Experts of the European Charter for Regional or Minority Languages

*Strasbourg, 18.III.2019*

### **Introduction**

The Committee of Experts of the European Charter for Regional or Minority Languages (ECRML) adopted its Rules of Procedure in 2001 and modifications thereto on 24 March 2004 (17<sup>th</sup> meeting), on 25 September 2014 (48<sup>th</sup> meeting), on 17 June 2016 (54<sup>th</sup> meeting) and on 18 March 2019 (62<sup>nd</sup> meeting).

### **Rule 1 Membership of the Committee and responsibilities**

The membership of the Committee of Experts (hereafter referred to as “the Committee”) and its responsibilities are covered by articles 16 to 17 of the European Charter for Regional or Minority Languages.

### **Rule 2 Elections of Chair and Vice-Chairs**

1. The Committee shall elect from among its members a Chair, and a first and second Vice-Chair.
2. The Chair and Vice-Chairs shall be elected for a term of two years. They are eligible for re-election. Terms of office shall run for calendar years. Elections shall take place at the last plenary committee meeting at the end of the respective calendar year.
3. The Committee shall strive to achieve gender balance and geographical balance while electing its Chair and Vice-Chairs.
4. If the Chair or Vice-Chairs, before the regular expiry of their terms of office, withdraw from the Committee or cease to hold the office of Chair

or Vice-Chair, the Committee shall elect as soon as possible a successor for the remainder of that term.

5. The elections shall be held by secret ballot. The member who has obtained an absolute majority of the votes cast shall be elected. If none of the candidates receive an absolute majority of the cast votes, a second ballot shall take place between the two candidates having obtained the highest number of votes. The candidate who receives the most votes in such a ballot shall then be elected. If more than one candidate receives the highest number of votes, the longest serving member among them shall be elected. If the members concerned have the same length of time in office, the oldest of them shall be elected.

### **Rule 3 Functions of Chair and Vice-Chairs**

1. The Chair shall lead the meetings of the Committee, conduct its proceedings, represent the Committee, and perform all other functions conferred upon him/her by these Rules of Procedures.
2. The Chair may delegate certain of his/her functions to other members of the Committee.
3. The first Vice-Chair shall take the place of the Chair if the latter is unable to carry out his/her functions or if the office of Chair is vacant. The second Vice-Chair shall replace the first Vice-Chair if the latter is unable to carry out his/her functions or if the office of first Vice-Chair is vacant. If the Chair and the Vice-Chairs are at the same time unable to carry out their duties or their offices are at the same time vacant, the duties of the Chair shall be carried out by the longest serving Committee member.
4. A member of the Committee of Experts shall not chair a meeting of the Committee when it is evaluating the situation in the State Party in respect of which he/she was elected.

### **Rule 4 Bureau of the Committee**

1. The Bureau of the Committee shall consist of the Chair and two Vice-Chairs.
2. The Bureau shall assist the Chair in conducting the Committee's business.
3. The Bureau shall assist in the preparation and follow-up of plenary meetings by making proposals to the Committee on the draft agenda and draft meeting report. Following consultation with the Secretariat, the Bureau

shall also propose to the Committee the composition of working groups and other issues that it considers should be decided by the Committee.

4. The Bureau shall ensure continuity between plenary Committee meetings, as necessary. In urgent cases, it may decide on the need and the manner in which to respond to developments in States Parties related to serious issues concerning the protection and promotion of regional or minority languages. The Bureau shall inform the Committee of any urgent actions/decisions taken under this paragraph.
5. The Bureau shall perform any other function conferred upon it by the Committee.

### **Rule 5 Secretariat of the Committee**

1. The Secretary General shall provide the Committee with the necessary staff, including the Committee Secretary, as well as with the administrative and other services required for the fulfilment of its duties.
2. The representative of the Secretary General may make a statement on any of the items of the Agenda.
3. The Secretariat makes available information material about the Charter, when and as needed, also in official languages of the State Parties and in regional or minority languages.

### **Rule 6 Seat of the Committee**

The seat of the Committee shall be at the headquarters of the Council of Europe, Strasbourg, France. The Committee can decide to hold a meeting elsewhere by a two-thirds majority, in line with Council of Europe regulations.

### **Rule 7 Working Languages**

The official and working languages of the Committee shall be the official and working languages chosen by the Council of Europe.

### **Rule 8 Holding of meetings**

1. The Committee and its Bureau shall hold their meetings as required for the exercise of their functions.
2. The Committee and its Bureau may also be consulted using information technologies.

## **Rule 9 Convocation and Agenda**

1. Following consultation with the Bureau, the Secretary shall prepare and transmit to the members a draft agenda simultaneously with convening the meeting.
2. The Committee meetings shall be convened by the Secretariat at dates decided by the Committee. The convocation letter shall be sent four weeks in advance of the meeting date.
3. The agenda shall be adopted by the Committee at the beginning of the meeting.

## **Rule 10 Meeting Documentation**

The Secretariat shall transmit to the members of the Committee the working documents relating to the different agenda items, whenever possible at least two weeks before the opening of the meeting. The Committee may decide by simple majority to deal with documents submitted later.

## **Rule 11 Privacy of Committee meetings and hearings**

Subject to the provisions of Rule 12, the Committee meetings and hearings shall be held *in camera* unless the Committee decides otherwise. Discussions relating to periodical and evaluation reports are always held *in camera*.

## **Rule 12 Hearings**

The Committee may consult and hear any person, organisation or government representative whom it considers to be in a position to assist it in the performance of its functions under the Charter.

## **Rule 13 Co-operation**

The Committee may, where appropriate, co-operate and exchange information with the Advisory Committee on the Framework Convention for the Protection of National Minorities and other bodies of the Council of Europe with relevant expertise.

## **Rule 14 Voting**

1. Each member of the Committee shall have one vote. Decisions of the Committee are to be taken by a two-thirds majority of the votes cast. Questions relating to procedure will be decided by simple majority.

2. The Committee shall normally vote by a show of hands. However, any member may request that a vote be taken by roll-call; in this event, the roll shall be called in alphabetical order of the names of the Committee's members, beginning with the letter 'A'.

## **Rule 15 Decisions**

1. When sitting in plenary meetings, the Committee can take decisions only when an absolute majority of its members is present.
2. The Committee can also take decisions by using information technologies.

## **Rule 16 Meeting Reports**

The Secretary shall prepare a draft summary report of the Committee's deliberations at each meeting. The draft report shall be circulated, not later than three weeks after the meeting, to the members of the Bureau for approval. The draft report, as approved by the Bureau, shall be sent to the Committee for formal adoption at the next plenary meeting.

## **Rule 17 Examination of Information from States Parties**

1. The Committee may appoint a Rapporteur and a Working Group for the examination of each periodical report.
2. The Working Group shall consist of the Rapporteur, the member of the Committee of Experts in respect of the State Party concerned, and a third member of the Committee. The Working Group, accompanied by at least one member of the Secretariat, may carry out an on-the-spot visit to the State Party concerned. The Working Group will prepare a draft evaluation report to be submitted to the Committee for examination, assisted by the Secretariat. The Rapporteur shall report to the Committee.
3. The Secretariat shall bring to the Committee's attention communications received by virtue of Article 16 (2) of the Charter containing information submitted for the Committee's consideration, unless the information in question relates to matters which manifestly fall outside its field of competence. Any relevant communication received by individual members of the Committee shall be forwarded to the Secretariat. The Secretariat shall send an acknowledgement of receipt to the authors of such communications.

4. The Committee or the Working Group may ask for additional written information in relation to a periodical report.
5. The Committee shall base its evaluation report on the written information received from the State Party (periodical report and supplements thereto, replies to questionnaires or other information requests), written communications received pursuant to Article 16 (2) of the Charter, information from other sources, including other official documents from the State Party, information received during the on-the-spot visit and facts generally known from public sources.
6. The Committee shall examine the information on the implementation of the recommendations for immediate action submitted by the State Party. Paragraphs 1-5 shall apply *mutatis mutandis*. The Committee's evaluation shall be made public following its transmission to the State Party and transmitted to the Committee of Ministers for information.
7. The Secretariat shall keep the Committee informed of delays in the submission of periodical reports and of the information on the implementation of the recommendations for immediate action by State Parties. Following the sending of two reminders by the Secretariat and of a reminder by the Chair of the Ministers' Deputies, when a State Party is more than twelve months behind in submitting a periodical report, the Committee shall submit to the Committee of Ministers a proposal for the commencement of the monitoring of the Charter without a periodical report, together with the information received from this State Party concerning the reasons for the delay.
8. The Committee shall take into consideration relevant transversal perspectives into all areas of its work.

## **Rule 18 Evaluation Reports to be submitted to the Committee of Ministers**

1. The evaluation reports and the evaluation of the implementation of the recommendations for immediate action shall be adopted by a two-thirds majority of the votes cast. Whenever appropriate, or if a two-thirds majority cannot be obtained, the report shall be adopted by simple majority and shall contain both the majority and the minority views.

2. A member of the Committee of Experts shall not have the right to take part in a vote when the report of the State Party in respect of which he or she was elected is being considered.
3. The Committee shall give the State Party concerned the opportunity to react to the evaluation report within a time limit of two months.
4. In its comments, the State Party may ask for a confidential dialogue. The confidential dialogue shall be requested expressly in written form and the comments provided shall comprise information of a factual nature.
5. The Working Group which prepared the evaluation report shall examine the comments, assisted by the Secretariat. In so doing, it may also consult bodies or associations relevant under Articles 7 (4) and 16 (2) of the Charter. The Working Group shall submit its conclusions to the Bureau for approval.
6. If a comment concerns a factual error in the evaluation report whose correction would not result in a revised conclusion on the fulfillment of a Charter provision or recommendation, the Secretariat may correct it accordingly and inform the Committee. If the correction of a factual error would also result in a revised conclusion on the fulfillment of a Charter provision or recommendation, these changes shall be adopted by the Committee. If the following plenary meeting is scheduled more than three weeks after the date when the draft changes are ready for adoption, in order to expedite the progress of the work, they may be submitted using information technologies to all the members of the Committee for tacit approval, within a two-week deadline.
7. Information related to a confidential dialogue shall not be published.

## **Rule 19 Rapid Reaction Capacity and Ad hoc Missions**

1. The Committee may:
  - a. adopt opinions on relevant recommendations by the Parliamentary Assembly or the Congress of Local and Regional Authorities of the Council of Europe or on documents by any other body or authority,
  - b. adopt statements on matters relating to regional or minority languages, including on current developments having an effect on the promotion or protection of such languages, which it may make public,

- c. appoint rapporteurs to examine specific matters or documents.
2. At the request of the Committee of Ministers, the Secretary General or a State, one or more members of the Committee and/or the Secretariat may participate in activities carried out by the Council of Europe as a rapid reaction to significant changes in the policies, legislation or practice of a State which might have an effect on the promotion or protection of regional or minority languages. In the case of such significant changes, the Committee may also propose such activities to the Committee of Ministers, the Secretary General or a State.
3. The Committee may address questionnaires and other requests for information to authorities and make the replies to them public.

### **Rule 20 Budget**

For the purpose of drawing up the annual budget, the Committee of Experts shall make its needs known to the Secretary General.

### **Rule 21 Amendments to the Rules of Procedure**

1. These rules of procedure may be amended at the request of the Bureau or any member of the Committee.
2. Notice of such a proposal must be delivered to the Secretariat and Committee members at least three weeks before the session where it is to be discussed.
3. The amendments must be accepted by a simple majority of the votes cast and will be applicable as of the date of their approval.

# Outlines for the periodical reports

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## on the implementation of the European Charter for Regional or Minority Languages to be presented by the States Parties

*(Approved by the Committee of Ministers on 2 May 2019, at the 1345th meeting of the Ministers' Deputies)*

*Reference document: CM(2019)69 final*

### **A. First report after the entry into force of the Charter in the Party (first monitoring cycle)**

The first report to be presented by a new Party to the Charter shall be prepared in accordance with the outline for the periodical report set out under B. below.

In addition, the Party is invited to provide the following information:

1. Please list all regional or minority languages within the meaning of Article 1a of the Charter in your State, i.e. the languages that are traditionally used within a given territory of the State by nationals of that State who form a group numerically smaller than the rest of the State's population; and different from the official language(s) of that State, not including either dialects of the official language(s) of the State or the languages of migrants.
2. Please indicate approximately how many people in your State speak or use each language covered by the Charter.<sup>10</sup>

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10. The numbers given should refer to all users of the language irrespective of how the language skills were, or are being, acquired (mother tongue/first language acquisition, second language acquisition or other acquisition).

## **B. Periodical report to be presented after the first monitoring cycle**

### *Language-specific part*

1. Please indicate, for each language covered by the Charter, what measures have been taken by your authorities to implement Articles 6-7 of the Charter (in the case of languages covered only by Part II of the Charter) or Articles 6-14 of the Charter (in the case of languages covered by both Part II and Part III of the Charter), in accordance with the structure set out below:

#### **I. [Name of language 1]**

- What measures have been taken to inform the authorities (including regional and/or local), organisations and persons concerned of the rights and duties established by the Charter, as required by its Article 6?
- Please provide information on the implementation of each provision of Part II of the Charter (Article 7, paragraph 1 a, b, c, d, e, f, g, h, i; paragraph 2, paragraph 3, paragraph 4, paragraph 5), using for each provision the following structure:
  - i.) Implementation measures taken in policies and/or legislation; any other relevant legal changes;
  - ii.) Implementation measures taken in practice (including concrete examples);
  - iii.) If applicable, measures taken to implement the related recommendations of the Committee of Ministers and the Committee of Experts.
- With regard to Article 7, paragraph 4, please also specify how the bodies or associations which further the protection and promotion of the respective language and/or represent its speakers/users have been consulted with regard to the implementation of the Charter in general, the implementation of the recommendations of the Committee of Ministers and the Committee of Experts and the drawing up of the periodical report.
- In case the language in question is also covered by Part III of the Charter (Articles 8-14), please provide information about the implementation of

each undertaking, using in each case the structure indicated regarding Part II/Article 7 above (i., ii., iii.).

## **II. [Name of language 2]**

etc.

Cross-references between language-specific sections of the periodical report, or precise references to parts of previous periodical reports, are possible with a view to avoiding repetition of identical information of a general nature (e.g. regarding legislation).

### ***Additional information***

2. Please specify where the periodical report has been made public.
3. Please indicate for each language covered by the Charter the contact details of the bodies or associations which further the protection and promotion of the respective language and/or represent its speakers/users.

## **C. Mid-term information**

Please indicate, with regard to each language concerned, the measures taken by your authorities to implement the recommendations for immediate action contained in the Committee of Experts' evaluation report.



# Signatures and ratifications

## of the European Charter for Regional or Minority Languages (ETS No. 148)

*Treaty open for signature by Council of Europe member States and for accession by non-member States*

**STATUS AS OF: 03/V/2021**

Opening for signature	Entry into force
Place: Strasbourg Date: 5/11/1992	Conditions: 5 Ratifications. Date: 1/3/1998

States	Signature	Ratification	Entry info Force
Albania			
Andorra			
Armenia	11/05/2001	25/01/2002	01/05/2002
Austria	05/11/1992	28/06/2001	01/10/2001
Azerbaijan	21/12/2001		
Belgium			
Bosnia and Herzegovina	07/09/2005	21/09/2010	01/01/2011
Bulgaria			
Croatia	05/11/1997	05/11/1997	01/03/1998
Cyprus	12/11/1992	26/08/2002	01/12/2002

<b>Czech Republic</b>	09/11/2000	15/11/2006	01/03/2007
<b>Denmark</b>	05/11/1992	08/09/2000	01/01/2001
<b>Estonia</b>			
<b>Finland</b>	05/11/1992	09/11/1994	01/03/1998
<b>France</b>	07/05/1999		
<b>Georgia</b>			
<b>Germany</b>	05/11/1992	16/09/1998	01/01/1999
<b>Greece</b>			
<b>Hungary</b>	05/11/1992	26/04/1995	01/03/1998
<b>Iceland</b>	07/05/1999		
<b>Ireland</b>			
<b>Italy</b>	27/06/2000		
<b>Latvia</b>			
<b>Liechtenstein</b>	05/11/1992	18/11/1997	01/03/1998
<b>Lithuania</b>			
<b>Luxembourg</b>	05/11/1992	22/06/2005	01/10/2005
<b>Malta</b>	05/11/1992		
<b>Monaco</b>			
<b>Montenegro</b>	22/03/2005	15/02/2006	06/06/2006
<b>Netherlands</b>	05/11/1992	02/05/1996	01/03/1998
<b>North Macedonia</b>	25/07/1996		
<b>Norway</b>	05/11/1992	10/11/1993	01/03/1998
<b>Poland</b>	12/05/2003	12/02/2009	01/06/2009
<b>Portugal</b>			
<b>Republic of Moldova</b>	11/07/2002		
<b>Romania</b>	17/07/1995	29/01/2008	01/05/2008
<b>Russian Federation</b>	10/05/2001		
<b>San Marino</b>			
<b>Serbia</b>	22/03/2005	15/02/2006	01/06/2006
<b>Slovak Republic</b>	20/02/2001	05/09/2001	01/01/2002
<b>Slovenia</b>	03/07/1997	04/10/2000	01/01/2001

<b>Spain</b>	05/11/1992	09/04/2001	01/08/2001
<b>Sweden</b>	09/02/2000	09/02/2000	01/06/2000
<b>Switzerland</b>	08/10/1993	23/12/1997	01/04/1998
<b>Turkey</b>			
<b>Ukraine</b>	02/05/1996	19/09/2005	01/01/2006
<b>United Kingdom</b>	02/03/2000	27/03/2001	01/07/2001

Total number of signatures not followed by ratifications	8
Total number of ratifications/accessions	25

Source: Treaty Office on [www.coe.int/en/web/conventions/home](http://www.coe.int/en/web/conventions/home)



# Reservations and Declarations for Treaty No. 148

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## European Charter for Regional or Minority Languages

**STATUS AS OF 03/V/2021**



**Armenia**

### **Declaration contained in the instrument of ratification deposited on 25 January 2002 – Or. Engl.**

In accordance with Article 3, paragraph 1, of the Charter, the Republic of Armenia declares that within the meaning of the European Charter for Regional or Minority Languages, minority languages in the Republic of Armenia are Assyrian, Yezidi, Greek, Russian and Kurdish languages.

**Period covered: 01/05/2002 –**

Articles concerned: 3

### **Declaration contained in the instrument of ratification deposited on 25 January 2002 – Or. Engl.**

According to Article 2, paragraph 2, of the Charter, the Republic of Armenia declares that it shall apply the following provisions of the Charter to the Assyrian, Yezidi, Greek, Russian and Kurdish languages:

### **Article 8 – Education**

Sub-paragraphs 1.a.iv ; 1.b.iv ; 1.c.iv ; 1.d.iv ; 1.e.iii ; 1.f.iii.

### **Article 9 – Judicial authorities**

Sub-paragraphs 1.a.ii, iii, iv ; 1.b.ii ; 1.c.ii and iii ; 1.d.

Paragraph 3.

### **Article 10 – Administrative authorities and public services**

Sub-paragraphs 1.a.iv and v ; 1.b ; 2.b ; 2.f ; 2.g ; 3.c ; 4.c.

Paragraph 5.

### **Article 11 – Media**

Sub-paragraphs 1.a.iii ; 1.b.ii ; 1.c.ii ; 1.e.

Paragraphs 2 and 3.

### **Article 12 – Cultural activities and facilities**

Sub-paragraphs 1.a.d.f. (\*)

Paragraphs 2 and 3.

### **Article 13 – Economic and social life**

Sub-paragraphs 1.b ; 1.c ; 1.d ; 2.b ; 2.c.

### **Article 14 – Transfrontier exchanges**

Paragraphs a and b.

**[(\*)Declaration contained in a Note verbale from the Ministry of Foreign Affairs of Armenia, dated 23 March 2004, transmitted by a Note verbale from the Permanent Representation of Armenia, dated 31 March 2004, registered at the Secretariat General on 1 April 2004 – Or. Engl.**

The Ministry of Foreign Affairs of the Republic of Armenia draws the attention of the Secretariat General to a technical error contained in Armenia's instrument of ratification of the Charter.

When depositing the instrument of ratification, an error of translation occurred, namely Armenia made undertakings concerning Article 12 of the Charter, where the subparagraph c) was included. Indeed, by decision N-247-2 of 28 December 2001 of the National Assembly, Armenia is bound by subparagraph d) of Article 12.]

**Period covered: 01/05/2002 –**

Articles concerned: 2



## Austria

### **Declaration contained in the instrument of ratification deposited on 28 June 2001 – Or. Engl./Ger.**

Austria declares that minority languages within the meaning of the Charter in the Republic of Austria shall be the Burgenlandcroatian, the Slovenian, the Hungarian, the Czech, the Slovakian languages and the Romany language of the Austrian Roma minority.

Pursuant to Article 3, paragraph 1, of the Charter, the Republic of Austria shall specify the minority languages to which the provisions selected pursuant to Article 2, paragraph 2, of the Charter shall apply upon the entry into force of the Charter in the Republic of Austria :

Burgenlandcroatian in the Burgenlandcroatian language area in the Land Burgenland:

Article 8, paragraph 1 a ii; b ii; c iii; d iv; e iii; f iii; g; h; i; paragraph 2;  
Article 9, paragraph 1 a ii and iii, b ii and iii; c ii and iii; d; paragraph 2 a;  
Article 10, paragraph 1 a iii, c; paragraph 2 b and d; paragraph 4 a; paragraph 5;  
Article 11, paragraph 1 b ii; c ii; d; e i; f ii; paragraph 2;  
Article 12, paragraph 1 a, d; paragraph 2; paragraph 3;  
Article 13, paragraph 1 d;  
Article 14 b.

Slovenian in the Slovenian language area in the Land Carinthia:

Article 8, paragraph 1 a iv; b ii; c iii; d iv; e iii; f iii; g; h; i; paragraph 2;  
Article 9, paragraph 1 a ii and iii, b ii and iii; c ii and iii; d; paragraph 2 a;  
Article 10, paragraph 1 a iii, c; paragraph 2 b and d; paragraph 4 a; paragraph 5;  
Article 11, paragraph 1 b ii; c ii; d; e i; f ii; paragraph 2;  
Article 12, paragraph 1 a, d; f; paragraph 2; paragraph 3;  
Article 13, paragraph 1 d;  
Article 14 b.

Hungarian in the Hungarian language area in the Land Burgenland:

Article 8, paragraph 1 a ii; b ii; c iii; d iv; e iii; f iii; g; h; i; paragraph 2;  
Article 9, paragraph 1 a ii and iii, b ii and iii; c ii and iii; d; paragraph 2 a;  
Article 10, paragraph 1 a iii, c; paragraph 2 b and d; paragraph 4 a; paragraph 5;  
Article 11, paragraph 1 b ii; c ii; d; e i; f ii; paragraph 2;  
Article 12, paragraph 1 a and d; paragraph 2; paragraph 3;

Article 13, paragraph 1 d;  
Article 14 b.

The separate specification of these provisions for the territories of each individual Land is in keeping with the federal structure of the Republic of Austria and takes into account the situation of each of these languages in the Land in question. Part II of the Charter shall be applied to the Burgenlandcroatian, the Slovenian, the Hungarian, the Czech, the Slovakian languages and the Romany language of the Austrian Roma minority upon its entry into force in the Republic of Austria. The objectives and principles laid down in Article 7 of the Charter shall form the bases with regard to these languages. At the same time, Austrian law and established administrative practice thus meet individual requirements laid down in Part III of the Charter.

With regard to Czech in the Land Vienna :

Article 8, paragraph 1 a iv;  
Article 11, paragraph 1 d; f ii; paragraph 2;  
Article 12, paragraph 1 a and d; paragraph 3;  
Article 14 b.

With regard to Slovakian in the Land Vienna :

Article 8, paragraph 1 a iv;  
Article 11, paragraph 1 d; f ii; paragraph 2;  
Article 12, paragraph 1 a and d; paragraph 3;  
Article 14 b.

With regard to Romany in the Land Burgenland :

Article 8, paragraph 1 f iii;  
Article 11, paragraph 1 b ii; d; f ii;  
Article 12, paragraph 1 a and d; paragraph 3;  
Article 14 b.

With regard to Slovenian in the Land Styria :

Article 8, paragraph 1 a iv; e iii; f iii;  
Article 11, paragraph 1 d; e i; f ii; paragraph 2;  
Article 12, paragraph 1 a and d; paragraph 2; paragraph 3;  
Article 13, paragraph 1 d;  
Article 14 b.

With regard to Hungarian in the Land Vienna :

Article 8, paragraph 1 a iv; e iii; f iii;  
Article 11, paragraph 1 d; e i; f ii;

Article 12, paragraph 1 a and d; paragraph 2; paragraph 3;  
Article 13, paragraph 1 d;  
Article 14 b.

The separate specification of these provisions for the territory of each individual Land is in keeping with the federal structure of the Republic of Austria and takes into account the situation of each of these languages in the Land in question. In accordance with the national distribution competencies, the way in which the above-mentioned provisions of Part III are implemented through legal regulations and Austria's administrative practice with due regard to the objectives and principles specified in Article 7 of the Charter shall be the responsibility of either the Federation or the competent Land.

**Period covered: 01/10/2001 –**

Articles concerned: 3, 2



## Azerbaijan

**Declaration contained in a Note verbale handed by the Permanent Representative of Azerbaijan to the Deputy Secretary General at the time of signature of the instrument, on 21 December 2001 – Or. Engl.**

The Republic of Azerbaijan declares that it is unable to guarantee the application of the provisions of the Charter in the territories occupied by the Republic of Armenia until these territories are liberated from that occupation (the schematic map of the occupied territories of the Republic of Azerbaijan is [enclosed](#)).

Articles concerned: -



## Bosnia and Herzegovina

**Declaration contained in the instrument of ratification deposited on 21 September 2010 – Or. Engl.**

In accordance with Article 3, paragraph 1, of the Charter, Bosnia and Herzegovina declares that, it shall apply the Provisions of Part III of the Charter in relation to the following languages: Albanian, Montenegrin, Czech, Italian, Hungarian, Macedonian, German, Polish, Romani, Romanian, Rysin, Slovak, Slovene, Turkish, Ukrainian and Jewish (Yiddish and Ladino).

**Period covered: 01/01/2011 –**

Articles concerned: 3

**Declaration contained in the instrument of ratification deposited on 21 September 2010 – Or. Engl.**

In accordance with Article 2, paragraph 2, of the Charter, Bosnia and Herzegovina declares that, the following provisions shall apply to the Albanian, Montenegrin, Czech, Italian, Hungarian, Macedonian, German, Polish, Romanian, Rysin, Slovak, Slovene, Turkish, Ukrainian and Jewish (Yiddish and Ladino) languages:

Article 8, paragraph 1 a (iii), b (iv), c (iv), d (iv), g;

Article 9, paragraph 1 a (ii), (iii), b (ii) (iii), c (ii), (iii); paragraph 2 c. ;

Article 10, paragraph 1 a (iv), c; paragraph 2 a, b, g; paragraph 3 c; paragraph 4 c; paragraph 5;

Article 11, paragraph 1 a (iii), b (i), c (ii), e (ii); paragraph 2; paragraph 3;

Article 12, paragraph 1 a, e, f, g; paragraph 2,

Article 13, paragraph 1 c, d;

Article 14, paragraphs a, b.

The following articles, paragraphs and sub-paragraphs shall apply to the Romani language:

Article 8, paragraph 1 a (iii), b (iv), c (iv), d (iv), e (iii), f (iii), g;

Article 9, paragraph 1 a (ii), (iii), b (ii) (iii), c (ii), (iii); paragraph 2 c;

Article 10, paragraph 1 a (iv), c; paragraph 2 a, b, g; paragraph 3 c; paragraph 4 c; paragraph 5;

Article 11, paragraph 1 a (iii), b (i), c (ii), d, e (ii), g; paragraph 2; paragraph 3;

Article 12, paragraph 1 a, e, f, g; paragraph 2;

Article 13, paragraph 1 c, d;

Article 14, paragraphs a, b.

**Period covered: 01/01/2011 –**

Articles concerned: 2

**Declaration contained in the instrument of ratification deposited on 21 September 2010 – Or. Engl.**

In accordance with Article 1, paragraph b, of the Charter, Bosnia and Herzegovina declares that the term ‘territory in which the regional or minority languages are used’ refers to areas in which regional or minority languages are in official use in accordance with the laws of Bosnia and Herzegovina.

**Period covered: 01/01/2011 –**

Articles concerned: 1



## Croatia

### **Declaration contained in the instrument of ratification, deposited on 5 November 1997 – Or. Cro./Engl.**

The Republic of Croatia declares that, in accordance with Article 2, paragraph 2, and Article 3, paragraph 1, of the European Charter for Regional of Minority Languages, it shall apply to Italian, Serbian, Hungarian, Czech, Slovak, Ruthenian and Ukrainian languages the following paragraphs of the Charter:

- In Article 8:

paragraph 1, sub-paragraphs a (iii), b (iv), c (iv), d (iv), e (ii), f (ii), g, h;

- In Article 9:

paragraph 1, sub-paragraphs a (ii), a (iv), b (ii), b (iii), c (ii), c (iii), d;

paragraph 2, sub-paragraph a;

- In Article 10:

paragraph 1, sub-paragraphs a (iii), a (iv) b, c;

paragraph 2, sub-paragraphs a, b, c, d, g;

paragraph 3, sub-paragraphs a, b, c;

paragraph 5;

- In Article 11:

paragraph 1, sub-paragraphs a (iii), d, e (ii);

paragraph 2;

paragraph 3;

- In Article 12:

paragraph 1, sub-paragraphs a, f, g;

- In Article 13:

paragraph 1, sub-paragraphs a, b, c;

- Article 14.

**Period covered: 01/03/1998 –**

Articles concerned: 9, 8, 3, 2, 14, 13, 12, 11, 10

### **Reservation contained in the instrument of ratification, deposited on 5 November 1997 – Or. Cro./Engl.**

The Republic of Croatia declares, in pursuance of Article 21 of the European Charter for Regional of Minority Languages, that in respect of the Republic of Croatia the provisions of Article 7, paragraph 5, of the Charter shall not apply.

**Period covered: 01/03/1998 –**  
Articles concerned : 7

**Declaration contained in the instrument of ratification, deposited on 5 November 1997 – Or. Cro./Engl.**

The Republic of Croatia declares, with regard to Article 1, paragraph b., of the Charter, that pursuant to Croatian legislature, the term “territory in which the regional or minority languages is used” shall refer to those areas in which the official use of minority language is introduced by the by-laws passed by the local self-government units, pursuant to Article 12 of the Constitution of the Republic of Croatia and Articles 7 and 8 of the Constitutional Law on Human Rights and Freedoms and the Rights of National and Ethnic Communities or Minorities on the Republic of Croatia.

**Period covered: 01/03/1998 –**  
Articles concerned: 1



## Cyprus

**Declaration contained in a Note verbale from the Permanent Representation of Cyprus, dated 5 November 2008, registered at the Secretariat General on 12 November 2008 – Or. Engl.**

Further to its Declaration of 3 August 2005, the Republic of Cyprus declares that the Cypriot Maronite Arabic is a language within the meaning of the European Charter for Regional or Minority Languages, to which it will apply the provisions of Part II of the Charter in accordance with Article 2, paragraph 1. In doing so, the Republic of Cyprus further declares that, since the Cypriot Maronite Arabic is also used in the village of Kormakitis, cradle of the said language, situated in an area of the territory of the Republic of Cyprus under Turkish military occupation since 1974 in which the Republic does not exercise effective control, it excludes any interpretation of the Charter's provision in this regard that would be contrary to it, particularly its Article 5.

**Period covered: 12/11/2008 –**  
Articles concerned : 5, 2

**Declaration contained in a letter from the Chargé d’Affaires a.i. of the Permanent Representation of Cyprus, dated 3 August 2005, registered at the Secretariat General on 4 August 2005 – Or. Engl.**

In ratifying the European Charter for Regional or Minority Languages, the Republic of Cyprus deposited on 26 August 2002, a declaration which appears

to be incompatible with the provisions of the Charter on undertakings to be applied by it.

In order to remove uncertainty and clarify the extent of the obligations undertaken, the Republic of Cyprus hereby withdraws the declaration of 26 August 2002 and replaces it with the following :

The Republic of Cyprus, while reiterating its commitment to respect the objectives and principles pursued by the European Charter for Regional or Minority Languages, declares that it undertakes to apply Part II of the Charter in accordance with Article 2, paragraph 1, to the Armenian language as a “non-territorial” language defined in Article 1c of the Charter.

The Republic of Cyprus would further like to state that its Constitution and laws uphold and safeguard effectively the principle of equality and non-discrimination on the ground of a person’s community, race, religion, language, sex, political or other convictions, national or social descent, birth, colour, wealth, social class or any ground whatsoever.

**Period covered: 04/08/2005 –**

Articles concerned: 2



## Czech Republic

### **Declaration contained in the instrument of ratification deposited on 15 November 2006 – Or. Engl.**

The Czech Republic declares that, pursuant to Article 2, paragraph 2, and Article 3, paragraph 1, of the Charter, it will apply the following selected provisions of Part III of the Charter to these languages:

*The Polish language* in the Moravian-Silesian Region, in the territory of the districts of Frydek-Místek and Karviná:

Article 8, paragraph 1 a (i), a (ii), b (i), b (ii), c (i), c (ii), d (ii), e (iii), f (iii), g, h, i, paragraph 2;

Article 9, paragraph 1 a (ii), a (iii), a (iv), b (ii), b (iii), c (ii), c (iii), d, paragraph 2 a;

Article 10, paragraph 1 a (iv), paragraph 2 b, e, f, g, paragraph 4 a, paragraph 5;

Article 11, paragraph 1 a (iii), b (ii), c (ii), d, e (i), paragraph 2;

Article 12, paragraph 1 a, f, g, paragraph 2, paragraph 3;

Article 13, paragraph 1 c, paragraph 2 e;

Article 14 a, b.

*The Slovak language* all over the territory of the Czech Republic :

Article 8, paragraph 1 a (iv), b (iv), e (iii), g, i, paragraph 2;

Article 9, paragraph 1 a (ii), a (iii), a (iv), b (ii), b (iii), c (ii), c (iii), d, paragraph 2 a;  
Article 10, paragraph 1 a (iv), a (v), paragraph 2 b, e, f, paragraph 3 c, paragraph 4 a, paragraph 5;

Article 11, paragraph 1 a (iii), b (ii), d, e (i), paragraph 2;

Article 12, paragraph 1 a, f, g, paragraph 2, paragraph 3;

Article 13, paragraph 1 c, paragraph 2 e;

Article 14 a, b.

**Period covered: 01/03/2007 –**

Articles concerned: 3, 2

**Declaration contained in the instrument of ratification deposited on 15 November 2006 – Or. Engl.**

The Czech Republic hereby declares that it will apply the provisions of the Charter in conformity with its constitutional order and the relevant international treaties by which it is bound.

Though there exists no general legal regulation in the Czech Republic relating to the country's official language, for the purposes of the Charter, regarded as minority languages are languages meeting the conditions of Article 1.a. In conformity with the Charter, the Czech Republic therefore declares that it considers the Slovak, Polish, German and Roma languages as minority languages which are spoken in its territory and in respect of which it will apply the provisions of Part II of the Charter.

**Period covered: 01/03/2007 –**

Articles concerned: 1



**Denmark**

**Declaration contained in a Note Verbale from the Permanent Representation of Denmark, handed at the time of deposit of the instrument of ratification on 8 September 2000 – Or. Eng.**

The Danish Realm comprises Denmark, the Faroe Islands and Greenland.

Section 11 of Act No. 137 of 23 March 1948 on Home Rule of the Faroe Islands states that "Faroese is recognized as the principal language, but Danish is to be learnt well and carefully, and Danish may be used as well as Faroese in public affairs." By virtue of the said Act the Faroese language enjoys a high degree of protection and the provisions of the Charter will therefore not be applicable to the Faroese language, cf. Article 4 (2) of the Charter. For this reason, the

Danish Government does not intend to submit periodical reports according to Article 15 of the Charter as far as the Faroese language is concerned.

Denmark's ratification of the Charter does not in any way prejudice the outcome of the negotiations on the future constitutional status of the Faroe Islands.

Section 9 of Act No. 577 of 29 November 1978 on Greenland Home Rule states that:

"(1) Greenlandic shall be the principal language, Danish must be thoroughly taught.

(2) Either language may be used for official purposes."

By virtue of the said Act the Greenlandic language enjoys a high degree of protection and the provisions of the Charter will therefore not be applicable to the Greenlandic language, cf. Article 4(2) of the Charter. For this reason, the Danish Government does not intend to submit periodical reports according to Article 15 of the Charter as far as the Greenlandic language is concerned.

**Period covered: 01/01/2001 –**

Articles concerned: 4, 15

**Declaration contained in a Note Verbale from the Permanent Representation of Denmark, handed at the time of deposit of the instrument of ratification on 8 September 2000 – Or. Engl.**

In accordance with Article 2, paragraph 2, and Article 3, paragraph 1, of the European Charter for Regional or Minority Languages, Denmark declares that it will apply the following provisions of Part III of the Charter to the German minority language in Southern Jutland:

Article 8, paragraph 1 a iii; b iv, c iii/iv, d iii; e ii, f ii, g; h; i; paragraph 2;

Article 9, paragraph 1 b iii; c iii; paragraph 2 a/b/c;

Article 10, paragraph 1 a v; paragraph 4 c; paragraph 5;

Article 11, paragraph 1 b i/ii, c i/ii; d, e i, f ii; g, paragraph 2;

Article 12, paragraph 1 a; b; d; e; f; g; paragraph 2; paragraph 3

Article 13, paragraph 1 a; c; d; paragraph 2 c;

Article 14, a; b.

The Danish Government considers that Article 9, paragraphs 1 b iii, and 1 c iii, does not preclude that national procedural law may contain rules which require that documents produced in a foreign language before courts as a general rule be accompanied by a translation.

**Period covered: 01/01/2001 –**

Articles concerned: 3, 2

**Communication contained in a Note Verbale from the Permanent Representation of Denmark, dated 25 August 2000, handed at the time of deposit of the instrument of ratification on 8 September 2000 – Or. Engl.**

Upon instruction the Representation hereby transmits certified translations into English of the Greenland Home Rule Act of 29 November 1978 and the Home Rule Act of the Faroe Islands of 23 March 1948, on the basis of which mandatory consultations were held as part of the ratification process. Attention is drawn to sections 9 and 11 respectively and to the corresponding lists of matters brought under Home Rule.

[**Note by the Secretariat:** The final versions are available on request to the Treaty Office.]

**Period covered: 01/01/2001 –**

Articles concerned:



**Finland**

**Declaration contained in an instrument from the Ministry for Foreign Affairs of Finland, dated 27 November 2009, registered at the Secretariat General on 30 November 2009 – Or. Engl.**

The Government of Finland has decided to modify the declaration contained in the Instrument of Acceptance of the Charter as follows:

“Finland declares, referring to Article 7, paragraph 5, that it undertakes to apply, *mutatis mutandis*, the principles listed in paragraphs 1 to 4 of the said Article to the Romanes language, to the Karelian language and to the other non-territorial languages in Finland.”

**Period covered: 30/11/2009 –**

Articles concerned: 7

**Declarations contained in the instrument of acceptance, deposited on 9 November 1994 – Or. Engl.**

Finland declares, according to Article 2, paragraph 2, and Article 3, paragraph 1, that it applies to the Saami language which is a regional or minority language in Finland, the following provisions of Part III of the Charter:

- In Article 8 :

Paragraph 1, sub-paragraphs a (i), b (i), c (i), d (ii), e (ii), f (ii), g, h, i

Paragraph 2

- In Article 9 :

Paragraph 1, sub-paragraphs a (ii), a (iii), a (iv), b (ii), b (iii), c (ii), c (iii), d

Paragraph 2, sub-paragraph a

Paragraph 3

- In Article 10 :

Paragraph 1, sub-paragraphs a (iii), b, c

Paragraph 2, sub-paragraphs a, b, c, d, e, f, g

Paragraph 3, sub-paragraph b

Paragraph 4, sub-paragraphs a, b

Paragraph 5

- In Article 11 :

Paragraph 1, sub-paragraphs a (iii), b (i), c (ii), d, e (i), f (ii)

Paragraph 2

Paragraph 3

- In Article 12 :

Paragraph 1, sub-paragraphs a, b, c, d, e, f, g, h

Paragraph 2

Paragraph 3

- In Article 13 :

Paragraph 1, sub-paragraphs a, c, d

Paragraph 2, sub-paragraphs b, c

- In Article 14 :

Paragraph a

Paragraph b.

**Period covered: 01/03/1998 –**

Articles concerned: 9, 8, 3, 2, 14, 13, 11, 10

**Declaration contained in the instrument of acceptance, deposited on 9 November 1994 – Or. Engl.**

Finland declares, according to Article 2, paragraph 2, and Article 3, paragraph 1, that it applies to the Swedish language which is the less widely used official language in Finland, the following provisions of Part III of the Charter:

- In Article 8 :

Paragraph 1, sub-paragraphs a (i), b (i), c (i), d (i), e (i), f (i), g, h, i

Paragraph 2

- In Article 9 :

Paragraph 1, sub-paragraphs a (i), a (ii), a (iii), a (iv), b (i), b (ii), b (iii), c (i), c (ii), c (iii), d

Paragraph 2, sub-paragraph a

Paragraph 3

- In Article 10 :

Paragraph 1, sub-paragraphs a (i), b, c

Paragraph 2, sub-paragraphs a, b, c, d, e, f, g

Paragraph 3, sub-paragraph a

Paragraph 4, sub-paragraphs a, b

Paragraph 5

- In Article 11 :

Paragraph 1, sub-paragraphs a (iii), b (i), c (ii), d, e (i), f (ii)

Paragraph 2

Paragraph 3

- In Article 12 :

Paragraph 1, sub-paragraphs a, b, c, d, e, f, g, h

Paragraph 2

Paragraph 3

- In Article 13 :

Paragraph 1, sub-paragraphs a, c, d

Paragraph 2, sub-paragraphs a, b, c, d, e

- In Article 14 :

Paragraph a

Paragraph b.

**Period covered: 01/03/1998 –**

Articles concerned 9, 8, 3, 2, 14, 13, 12, 11, 10

**Declaration contained in the instrument of acceptance, deposited on 9 November 1994 – Or. Engl.**

Finland declares, referring to Article 7, paragraph 5, that it undertakes to apply, *mutatis mutandis*, the principles listed in paragraphs 1 to 4 of the said Article to the Romanes language and to the other non-territorial languages in Finland.

**Period covered: 01/03/1998 –**

Articles concerned: 7



## France

### **Declaration contained in the full powers handed to the Secretary General at the time of signature of the instrument, on 7 May 1999 – Or. Fr.**

France intends to make the following declaration in its instrument of ratification of the European Charter for Regional or Minority Languages:

1. In so far as the aim of the Charter is not to recognise or protect minorities but to promote the European language heritage, and as the use of the term “groups” of speakers does not grant collective rights to speakers of regional or minority languages, the French Government interprets this instrument in a manner compatible with the Preamble to the Constitution, which ensures the equality of all citizens before the law and recognises only the French people, composed of all citizens, without distinction as to origin, race or religion.
2. The French Government interprets Article 7-1, paragraph d, and Articles 9 and 10 as posing a general principle which is not in conflict with Article 2 of the Constitution, pursuant to which the use of the French language is mandatory on all public-law corporations and private individuals in the exercise of a public service function, as well as on individuals in their relations with public administrations and services.
3. The French Government interprets Article 7-1, paragraph f, and Article 8 to mean that they preserve the optional nature of the teaching and study of regional or minority languages, as well as of the history and culture which is reflected by them, and that the purpose of this teaching is not to remove from pupils enrolled in schools on the national territory the rights and obligations applicable to all those attending establishments providing the public education service or associated therewith.
4. The French Government interprets Article 9-3 as not opposing the possible use only of the official French version, which is legally authoritative, of statutory texts made available in the regional or minority languages, by public-law corporations and private individuals in the exercise of a public service function, as well as by individuals in their relations with public administrations and services.

Articles concerned 9, 8, 7, 10, 1

### **Declaration contained in the full powers handed to the Secretary General at the time of signature of the instrument, on 7 May 1999 – Or. Fr.**

France will specify in its instrument of ratification of the European Charter for Regional or Minority Languages, pursuant to Article 3-1 thereof, the regional

or minority languages to which the measures to be selected in accordance with Article 2-2 shall apply. In conformity with Article 2-2, France intends to undertake to apply some or all of the following paragraphs or sub-paragraphs of Part III of the Charter:

- Article 8:

Sub-paragraphs 1.a.iii, 1.b.iv, 1.c.iv, 1.d.iv, 1.e.i, 1.e.ii, 1.f.ii, 1.g, 1.h, 1.i  
Paragraph 2

- Article 9:

Paragraph 3

- Article 10:

Sub-paragraphs 2.c, 2.d, 2.g

- Article 11:

Sub-paragraphs 1.a.iii, 1.b.ii, 1.c.ii, 1.d, 1.e.ii, 1.f.ii, 1.g  
Paragraph 2  
Paragraph 3

- Article 12:

Sub-paragraphs 1.a, 1.b, 1.c, 1.d, 1.e, 1.g  
Paragraph 2  
Paragraph 3

- Article 13:

Sub-paragraphs 1.b, 1.c, 1.d  
Sub-paragraphs 2.b, 2.e

- Article 14:

Paragraph a  
Paragraph b

Articles concerned: 9, 8, 3, 2, 14, 13, 12, 11, 10



**Germany**

**Declaration contained in letter from the Permanent Representative of Germany, dated 6 January 2021, registered at the Secretariat General on 7 January 2021 – Or. Engl.**

In accordance with Article 3, paragraph 2, of the Charter, the Federal Republic of Germany declares that it will, pursuant to Article 2, paragraph 2, of the

Charter, apply the following additional provisions to the minority languages and regional language named below:

To Danish in the Danish language area in the Land Schleswig-Holstein:

Article 10, paragraph 1c; paragraph 2g.

Article 12, paragraphs 1a, b.

To North Frisian in the North Frisian language area in the Land Schleswig-Holstein:

Article 10, paragraph 1c.

To Low German in the territory of the Land Schleswig-Holstein:

Article 10, paragraph 2g.

Article 12, paragraph 1e.

**Period covered: 07/01/2021 –**

Articles concerned: 3, 2

**Declaration contained in a letter from the Permanent Representative of Germany, dated 17 March 2003 and registered at the Secretariat General on 21 March 2003 – Or. Engl./Germ.**

In accordance with Article 3, paragraph 2, of the Charter, the Federal Republic of Germany will apply to the minority languages named below the following additional provision pursuant to Article 2, paragraph 2:

North Frisian in the North Frisian language area in Land Schleswig-Holstein:

Article 10, paragraph 2 (g)

Sater Frisian in the Sater Frisian language area in Land Lower Saxony:

Article 10, paragraph 2 (g)

Romanes for the area of Land Hesse:

Article 8, paragraph 1 (a) (iii) and (iv); (b) (iv) ; (c) (iv); (d) (iv); (e) (iii) ; (i) ; paragraph 2

Article 10, paragraph 2 (e) ; (f) ; paragraph 3 (c); paragraph 4 (c)

Article 11, paragraph 1 (b) (ii); (c) (ii); (e) (i)

Article 12, paragraph 1 (a) ; (d) ; (f) ; paragraph 2

In connection with the undertakings given for the entire federal territory :

Article 8, paragraph 1 (f) (iii) ; (g) ; (h)

Article 9, paragraph 1 (b) (iii) ; (c) (iii) ; paragraph 2 (a)

Article 10, paragraph 5

Article 11, paragraph 1 (d); (e) (ii); (f) (ii) ; (g) ; paragraph 2

Article 12, paragraph 1 (g) ; paragraph 3

Article 13, paragraph 1 (a) ; (c) ; (d)

Article 14 (a)

**Period covered: 21/03/2003 –**

Articles concerned: 9, 8, 3, 2, 14, 13, 12, 11, 10

**Declarations contained in a letter from the Permanent Representation of Germany, dated 16 September 1998, handed to the Secretary General at the time of deposit of the instrument of ratification, on 16 September 1998 – Or. Engl./Germ.**

Minority languages within the meaning of the European Charter for Regional or Minority Languages in the Federal Republic of Germany shall be the Danish, Upper Sorbian, Lower Sorbian, North Frisian and Sater Frisian languages and the Romany language of the German Sinti and Roma; a regional language within the meaning of the Charter in the Federal Republic shall be the Low German language.

Pursuant to Article 3, paragraph 1, of the Charter, the Federal Republic of Germany specifies the regional or minority languages to which the provisions selected pursuant to Article 2, paragraph 2, of the Charter shall apply upon the entry into force of the Charter in the Federal Republic of Germany:

Danish in the Danish language area in *Land* Schleswig-Holstein:

Article 8, paragraph 1 a iv; b iv; c iii/iv; d iii; e ii; f ii/iii; g; h; i; paragraph 2;

Article 9, paragraph 1 b iii; c iii; paragraph 2 a;

Article 10, paragraph 1 a v; paragraph 4 c; paragraph 5;

Article 11, paragraph 1 b ii; c ii; d; e ii; f ii; paragraph 2;

Article 12, paragraph 1 c; d; e; f; g; paragraph 2; paragraph 3;

Article 13, paragraph 1 a; c; d; paragraph 2 c;

Article 14 a; b.

Upper Sorbian in the Upper Sorbian language area in the Free State of Saxony:

Article 8, paragraph 1 a iii; b iv; c iv; d iv; e ii; f iii; g; h; i; paragraph 2;

Article 9 paragraph 1 a ii; a iii; b ii; b iii; c ii; c iii; d; paragraph 2 a;

Article 10, paragraph 1 a iv/v; paragraph 2 a; b; g; paragraph 3 b/c; paragraph 4 c; paragraph 5;

Article 11, paragraph 1 b ii; c ii; d; e i; f ii; paragraph 2;

Article 12, paragraph 1 a; b; c; d; e; f; g; h; paragraph 2, paragraph 3;

Article 13, paragraph 1 a; c; d; paragraph 2 c.

Lower Sorbian in the Lower Sorbian language area in *Land* Brandenburg:

Article 8, paragraph 1 a iv; b iv; c iv; e iii; f iii; g; h; i;  
Article 9, paragraph 1 a ii; a iii; b iii; c iii; paragraph 2 a;  
Article 10, paragraph 1 a iv/v; paragraph 2 b; g; paragraph 3 b/c; paragraph 4 a; c; paragraph 5;  
Article 11, paragraph 1 b ii; c ii; d; e i; paragraph 2;  
Article 12, paragraph 1 a; b; c; d; e; f; g; h; paragraph 2; paragraph 3;  
Article 13, paragraph 1 a; c; d.

North Frisian in the North Frisian language area in *Land* Schleswig-Holstein:

Article 8, paragraph 1 a iii/iv; b iv; c iv; e ii; f iii; g; h; i; paragraph 2;  
Article 9, paragraph 1 b iii; c iii; paragraph 2 a;  
Article 10, paragraph 1 a v; paragraph 4 c; paragraph 5;  
Article 11, paragraph 1 b ii; c ii; d; e ii; f ii; paragraph 2;  
Article 12, paragraph 1 a; b; c; d; e; f; g; h; paragraph 2; paragraph 3;  
Article 13, paragraph 1 a; c; d;  
Article 14 a.

Sater Frisian in the Sater Frisian language area in *Land* Lower Saxony:

Article 8, paragraph 1 a iv; e ii; f iii; g; i;  
Article 9, paragraph 1 b iii; c iii; paragraph 2 a;  
Article 10, paragraph 1 a v; c; paragraph 2 a; b; c; d; e; f; paragraph 4 a; c; paragraph 5;  
Article 11, paragraph 1 b ii; c ii; d; e ii; f ii; paragraph 2;  
Article 12, paragraph 1 a; b; c; d; e; f; g; paragraph 2; paragraph 3;  
Article 13, paragraph 1 a; c; d.

Low German in the *Länder* Free Hanseatic City of Bremen, Free and Hanseatic City of Hamburg, Mecklenburg-Western Pomerania, Lower Saxony and Schleswig-Holstein:

Obligations regarding Low German in the territory of the *Länder* Free Hanseatic City of Bremen, Free and Hanseatic City of Hamburg, Mecklenburg-Western Pomerania, Lower Saxony and Schleswig-Holstein:

Article 8, paragraph 1 a iv; e ii; g;  
Article 9, paragraph 1 b iii; c iii; paragraph 2 a;  
Article 10, paragraph 1 a v; c; paragraph 2 a; b; f;  
Article 11, paragraph 1 b ii; c ii; d; e ii; f ii; paragraph 2;  
Article 12, paragraph 1 a; d; f; paragraph 3;  
Article 13, paragraph 1 a; c;

and additionally:

- in the Free Hanseatic City of Bremen:

Article 8, paragraph 1 b iii; c iii; f i; h;

Article 10, paragraph 2 c; d; e;

Article 11, paragraph 1 g;

Article 12, paragraph 1 b; c; e; g;

Article 13, paragraph 2 c;

- in the Free and Hanseatic City of Hamburg:

Article 8, paragraph 1 b iii; c iii; d iii; f ii; h; i;

Article 10, paragraph 2 e; paragraph 4 c;

Article 11, paragraph 1 g;

Article 12, paragraph 1 g;

Article 13, paragraph 1 d; paragraph 2 c;

- in *Land* Mecklenburg-Western Pomerania:

Article 8, paragraph 1 b iii; c iii; d iii; h; i;

Article 10, paragraph 4 c;

Article 12, paragraph 1 b; c; e; h;

Article 13, paragraph 1 d, paragraph 2 c;

- in *Land* Lower Saxony:

Article 8, paragraph 1 f iii; i;

Article 10, paragraph 2 c; d; e; paragraph 4 a; c;

Article 12, paragraph 1 b; c; e; g; paragraph 2;

Article 13, paragraph 1 d;

Article 14 a; b;

- in *Land* Schleswig-Holstein:

Article 8, paragraph 1 b iii; c iii; f iii; h; i; paragraph 2;

Article 10, paragraph 4 c;

Article 12, paragraph 1 b; c; g;

Article 13, paragraph 1 d; paragraph 2 c.

The separate specification of these provisions for the territories of each individual *Land* is in keeping with the federal structure of the Federal Republic of Germany and takes into account the situation of each of these languages in the *Land* in question.

The Romany language of the German Sinti and Roma in the territory of the Federal Republic of Germany and Low German language in the territory of

the *Länder* Brandenburg, North-Rhine/Westphalia and Saxony-Anhalt shall be protected pursuant to Part II of the Charter.

Part II of the European Charter for Regional or Minority Languages shall be applied to Romany, the minority language of the German Sinti and Roma in the territory of the Federal Republic of Germany, and to the regional language Low German in the territory of the *Länder* Brandenburg, North-Rhine/Westphalia and Saxony-Anhalt upon its entry into force in the Federal Republic of Germany in accordance with the declaration of the Federal Republic of Germany of 23 January 1998. The objectives and principles laid down in Article 7 of the Charter shall form the bases with regard to these languages. At the same time, German law and Germany's administrative practice thus meet individual requirements laid down in Part III of the Charter:

With regard to Romany

for the territory of the Federal Republic of Germany:

Article 8, paragraph 1 f iii; g; h;

Article 9, paragraph 1 b iii; c iii; paragraph 2 a;

Article 10, paragraph 5;

Article 11, paragraph 1 d; e ii; f ii; g; paragraph 2;

Article 12, paragraph 1 g; paragraph 3;

Article 13, paragraph 1 a; c; d;

Article 14 a;

and additionally:

- in *Land* Baden-Württemberg:

Article 8, paragraphs 1 a iv, 1 e iii;

Article 10, paragraph 4 c;

Article 12, paragraphs 1 a, 1 d; f; paragraph 2.

- in *Land* Berlin:

Article 8, paragraph 1 a i/ii; b i/ii/iii/iv; e i/ii/iii; i; paragraph 2;

Article 11, paragraph 1 b i/ii: c ii; e i/ii;

Article 12, paragraph 1 a; d; f;

- in the Free and Hanseatic City of Hamburg:

Article 8, paragraph 1 b iv; c iv;

Article 11, paragraph 1 b ii; c ii;

Article 12, paragraph 1 a; d; f;

- in *Land* Hesse:

Article 8, paragraph 1 a iii/iv; b iv; c iv; d iv; e iii; i; paragraph 2;

Article 11, paragraph 1 b ii; c ii; e i;

Article 12, paragraph 1 a; d; f; paragraph 2;

- in *Land* North-Rhine/Westphalia:

Article 8, paragraph 1 e iii; paragraph 2;

Article 12, paragraph 1 a; d; f; paragraph 2;

- in *Land* Lower Saxony:

Article 12, paragraph 1 a; d; f;

- in *Land* Rhineland-Palatinate:

Article 8, paragraph 1 a iv; e iii;

Article 11, paragraph 1 c ii;

Article 12, paragraph 1 a; d; f;

- in *Land* Schleswig-Holstein:

Article 10, paragraph 1 a v; paragraph 2 b; paragraph 4 c;

Article 11, paragraph 1 b ii; c ii;

Article 12, paragraph 1 a; d; f; paragraph 2.

With regard to Low German:

- in *Land* Brandenburg:

Article 8, paragraph 1 a iv; b iv; c iv; f iii; g;

Article 9, paragraph 2 a;

Article 10, paragraph 2 b; paragraph 3 c;

Article 11, paragraph 1 b ii; c ii; d; e ii; f ii; paragraph 2;

Article 12, paragraph 1 a; f; g;

- in *Land* North-Rhine/Westphalia:

Article 8, paragraph 1 e iii; g; h; paragraph 2;

Article 9, paragraph 1 b iii; c iii; paragraph 2 a;

Article 11, paragraph 1 d; paragraph 2;

Article 12, paragraph 1 a; d; e; f; g; h; paragraph 2;

Article 13, paragraph 1 a; c; d;

- in *Land* Saxony-Anhalt:

Article 8, paragraph 1 a iv; b iv; c iv; g; h;

Article 9, paragraph 2 a;

Article 11, paragraph 1 b ii; c ii; e ii; paragraph 2;

Article 12, paragraph 1 a; f; g; h.

The separate specification of these provisions for the territory of each individual *Land* is in keeping with the federal structure of the Federal Republic of Germany and takes into account the situation of each of these languages in the *Land* in question.

In accordance with the national distribution of competencies, the way in which the above-mentioned provisions of Part III of the Charter are implemented through legal regulations and Germany's administrative practice with due regard to the objectives and principles specified in Article 7 of the Charter shall be the responsibility of either the Federation or the competent *Land*. Details will be provided in the procedure for implementing the federal act with which the legislature consents to the Charter as laid down in the Memorandum to the Charter.

**Period covered: 01/01/1999 –**

Articles concerned: 9, 8, 7, 3, 2, 14, 13, 12, 11, 10



## Hungary

**Declaration contained in a Note verbale from the Permanent Representation of Hungary, dated 24 June 2008, supplemented by a Note verbale from the Permanent Representation of Hungary, dated 17 July 2008, registered at the Secretariat General on 22 July 2008 – Or. Engl.**

The Government of the Republic of Hungary, based on the autorisation of the Parliament and according to Article 2, paragraph 2, of the Charter, undertakes to apply the following provisions in respect of the Romani language :

- Article 8

Paragraph 1, sub-paragraphs a (iii), b (iv), c (iv), d (iv), e (iii), f (iii), g, h, i

Paragraph 2

- Article 9

Paragraph 1, sub-paragraphs a (ii) (iii) (iv), b (ii) (iii), c (ii) (iii)

Paragraph 2, sub-paragraph c

- Article 10

Paragraph 1, sub-paragraphs a (iv), b, c

Paragraph 2, sub-paragraphs b, e, f, g

Paragraph 3, sub-paragraph c

Paragraph 4, sub-paragraphs a, c

- Article 11

Paragraph 1, sub-paragraphs a (ii), b (ii), c (ii), d, e (ii), f (ii), g

Paragraph 3

- Article 12

Paragraph 1, sub-paragraphs a, b, c, d, f, g

Paragraph 2

Paragraph 3

- Article 13

Paragraph 1, sub-paragraphs a, c

Paragraph 2, sub-paragraph c

- Article 14

Paragraph a

Paragraph b.

The application of the Charter in respect of this language took effect on 28 June 2008.

**Period covered: 28/06/2008 –**

Articles concerned: 2

**Declaration contained in a Note verbale from the Permanent Representation of Hungary, dated 24 June 2008, supplemented by a Note verbale from the Permanent Representation of Hungary, dated 17 July 2008, registered at the Secretariat General on 22 July 2008 – Or. Engl.**

The Government of the Republic of Hungary, based on the authorisation of the Parliament and according to Article 2, paragraph 2, of the Charter, undertakes to apply the following provisions in respect of the Beás language :

- Article 8

Paragraph 1, sub-paragraphs a (iv), b (iv), c (iv), d (iv), e (iii), f (iii), g, h, i

Paragraph 2

- Article 9

Paragraph 1, sub-paragraphs a (ii) (iii) (iv), b (ii) (iii), c (ii) (iii)

Paragraph 2, sub-paragraph c

- Article 10

Paragraph 1, sub-paragraphs a (v), c

Paragraph 2, sub-paragraphs b, e, f, g

Paragraph 3, sub-paragraph c

Paragraph 4, sub-paragraphs a, c

- Article 11

Paragraph 1, sub-paragraphs a (iii), b (ii), c (ii), e (ii), f (i), g

Paragraph 3

- Article 12

Paragraph 1, sub-paragraphs a, b, c, d, f, g

Paragraph 2

Paragraph 3

- Article 13

Paragraph 1, sub-paragraph a

Paragraph 2, sub-paragraph c

- Article 14

Paragraph a

Paragraph b.

The application of the Charter in respect of this language took effect on 28 June 2008.

**Period covered: 28/06/2008 –**

Articles concerned: 2

**Declarations contained in the instrument of ratification, deposited on 26 April 1995 – Or. Engl. and completed by a Note verbale (1) from the Ministry of Foreign Affairs of Hungary, dated 12 March 1999, registered at the Secretariat General on 16 March 1999 – Or. Fr.**

Hungary declares, according to Article 2, paragraph 2, and Article 3, that it applies to the Croatian, German, Romanian, Serbian, Slovak and Slovene languages, the following provisions of Part III of the Charter:

- In Article 8 :

Paragraph 1, sub-paragraphs a (iv), b (iv), c (iv), d (iv), e (iii), f (iii), g, h, i

Paragraph 2

- In Article 9 :

Paragraph 1, sub-paragraphs a (ii), a (iii), a (iv), b (ii), b (iii), c (ii), c (iii)

Paragraph 2, sub-paragraphs a, b, c

- In Article 10 :

Paragraph 1, sub-paragraphs a (v), c

Paragraph 2, sub-paragraphs b, e, f, g

Paragraph 3, sub-paragraph c  
Paragraph 4, sub-paragraphs a, c  
Paragraph 5

- In Article 11 :

Paragraph 1, sub-paragraphs a (iii), b (ii), c (ii), e (i), f (i), g  
Paragraph 3

- In Article 12 :

Paragraph 1, sub-paragraphs a, b, c, f, g  
Paragraph 2  
Paragraph 3

- In Article 13 :

Paragraph 1, sub-paragraph a

- In Article 14 :

Paragraph a  
Paragraph b.

**[(1) Note from the Secretariat:**

*The Note verbale read as follows:*

“ The Ministry of Foreign Affairs of the Republic of Hungary presents its compliments to the Secretariat General of the Council of Europe and has the honor to draw its attention to a technical error contained in the instrument of ratification deposited by the Republic of Hungary, namely that the languages enumerated in respect of which Hungary makes undertakings concerning Part III of the European Charter for Regional or Minority Languages, do not include the Serbian language.

Indeed, the Republic of Hungary, by Decision No. 35/1995 (IV.7) of the Parliament, of which an official translation in French is appended, has ratified Part III of the Charter, accepting also the Serbian language and with the same options as those enumerated in the instrument of ratification of 19 April 1995. Hungary's obligations with regard to the Serbian language become therefore operative from the date of entry into force of the European Charter for Regional or Minority Languages in respect of Hungary.

**Decision of the Parliament No. 35/1995 (IV.7)**

**On the ratification of the European Charter on Regional or Minority Languages and on the undertakings taken by the Republic of Hungary in conformity with its Article 2, litt. 2,**

The Parliament, on a proposition from the Government:

1. Ratifies the European Charter on Regional or Minority Languages, elaborated on 5 November 1992, which text is reproduced in Appendix No. 1.
2. Agrees that the undertakings taken in conformity with Article 2, litt. 2, of the Charter reproduced in Appendix No. 2 extend to the Croatian, German, Romanian, Serbian, Slovakian, Slovenian languages.
3. Invites the President of the Republic to issue the instrument of ratification.
4. Invites the Minister of Foreign Affairs to deposit the instrument of ratification and the inventory of the undertakings taken.”]

**Period covered: 01/03/1998 –**

Articles concerned: 9, 8, 3, 2, 14, 13, 12, 11, 10



## Liechtenstein

### **Declaration contained in the instrument of ratification deposited on 18 November 1997 – Or. Fr.**

The Principality of Liechtenstein declares in accordance with Article 2, paragraph 2, and in accordance with Article 3, paragraph 1, of the European Charter for Regional or Minority Languages of 5 November 1992, that there are no regional or minority languages in the sense of the Charter in the territory of the Principality of Liechtenstein at the time of ratification.

**Period covered: 01/03/1998 –**

Articles concerned: 3, 2



## Montenegro

### **Reservation contained in the instrument of ratification deposited by the state union of Serbia and Montenegro, on 15 February 2006 – Or. Engl.**

As to Article 1.b of the Charter, Serbia and Montenegro declares that the term “territory in which the regional or minority languages is used” will refer to areas in which regional and minority languages are in official use in line with the national legislation.

[**Note by the Secretariat:** The Committee of Ministers of the Council of Europe decided on its 967th meeting that the Republic of Montenegro is to be considered a Party to this treaty with effect from 6 June 2006.]

**Period covered: 06/06/2006 –**

Articles concerned: 2

**Declaration contained in the instrument of ratification deposited by the state union of Serbia and Montenegro, on 15 February 2006 – Or. Engl. – and updated by a letter from the Ministry of Foreign Affairs of Montenegro, dated 13 October 2006, registered at the Secretariat General on 19 October 2006 – Or. Engl.**

In accordance with Article 2, paragraph 2, of the Charter, Montenegro has accepted that the following provisions be applied in the Republic of Montenegro, for the Albanian and Romany languages :

Article 8, paragraph 1 a (iii), a (iv), b (ii), b (iv), c (iii), c (iv), d (iv), e (ii), f (iii), g, h;  
Article 9, paragraph 1 a (ii), a (iii), a (iv), b (ii), b (iii), c (ii), c (iii), d, paragraph 2 a, b, c, paragraph 3;

Article 10, paragraph 1 a (iii), a (iv), a (v), c, paragraph 2 b, d, g, paragraph 3 a, paragraph 4 a, c, paragraph 5;

Article 11, paragraph 1 a (iii), b (ii), c (ii), d, e (i), f (ii), paragraph 2, paragraph 3;

Article 12, paragraph 1 a, b, c, f, paragraph 2;

Article 13, paragraph 1 c.

[**Note by the Secretariat:** The Committee of Ministers of the Council of Europe decided on its 967th meeting that the Republic of Montenegro is to be considered a Party to this treaty with effect from 6 June 2006.]

**Period covered: 06/06/2006 –**

Articles concerned: 1



## **Netherlands**

**Declaration contained in a Note Verbale from the Permanent Representation of the Netherlands, dated 18 March 1997, registered at the Secretariat General on 19 March 1997 – Or. Engl.**

The Kingdom of the Netherlands declares, in accordance with Article 2, paragraph 1, of the European Charter for Regional or Minority Languages of 5 November 1992, that the principles enumerated in Part II of the Charter will be applied to the Limburger language used in the Netherlands.

**Period covered: 01/03/1998 –**

Articles concerned: 2

**Declarations contained in a Note Verbale handed over by the Permanent Representative of the Netherlands at the time of deposit of the instrument of acceptance, on 2 May 1996 – Or. Engl.**

The Kingdom of the Netherlands declares, in accordance with Article 2, paragraph 2, and Article 3, paragraph 1, of the European Charter for Regional or Minority Languages, that it will apply to the Frisian language in the province of Friesland the following provisions of Part III of the Charter:

- In Article 8:

Paragraph 1, sub-paragraphs a (ii), b (ii), c (iii), e (ii), f (i), g, h, i.

Paragraph 2.

- In Article 9:

Paragraph 1, sub-paragraphs a (ii), a (iii), b (iii), c (ii), c (iii).

Paragraph 2, sub-paragraph b.

- In Article 10:

Paragraph 1, sub-paragraphs a (v), c.

Paragraph 2, sub-paragraphs a, b, c, d, e, f, g.

Paragraph 4, sub-paragraphs a, c.

Paragraph 5.

- In Article 11:

Paragraph 1, sub-paragraphs a (iii), b (ii), c (ii), f (ii).

Paragraph 2.

- In Article 12:

Paragraph 1, sub-paragraphs a, b, d, e, f, g, h.

Paragraph 2.

Paragraph 3.

- In Article 13:

Paragraph 1, sub-paragraphs a, c, d.

Paragraph 2, sub-paragraphs b, c.

- In Article 14:

Paragraph a.

Paragraph b.

The Kingdom of the Netherlands further declares that the principles enumerated in Part II of the Charter will be applied to the Lower-Saxon languages

used in the Netherlands, and, in accordance with Article 7, paragraph 5, to Yiddish and the Romanes languages.

**Period covered: 01/03/1998 –**

Articles concerned: 9, 8, 7, 3, 2, 14, 13, 12, 11, 10

**Declaration contained in the instrument of acceptance, deposited on 2 May 1996 – Or. Engl.**

The Kingdom of the Netherlands accepts the said Charter for the Kingdom in Europe.

**Period covered: 01/03/1998 –**

Articles concerned: -



**Norway**

**Declarations contained in the instrument of ratification, deposited on 10 November 1993 – Or. Engl.**

We undertake to carry out the provisions contained in Parts I, II, IV and V of the Charter and also in accordance with Article 2, paragraph 2, the provisions contained in the following articles, paragraphs and sub-paragraphs of Part III of the Charter :

- In Article 8 :

Paragraph 1, sub-paragraphs a (iii), b (iv), c (iv), d (iv), e (ii), f (ii), g, h, i

Paragraph 2

- In Article 9 :

Paragraph 1, sub-paragraphs a (i-iv), b (i-iii), d

Paragraph 2, sub-paragraph a

Paragraph 3

- In Article 10 :

Paragraph 1, sub-paragraphs a (iii), b, c

Paragraph 2, sub-paragraphs a, b, c, d, e, f, g

Paragraph 3, sub-paragraph b

Paragraph 4, sub-paragraph a

Paragraph 5

- In Article 11 :

Paragraph 1, sub-paragraphs, a (iii), b (i), c (ii), e (i), f (ii), g

Paragraph 2

- In Article 12 :

Paragraph 1, sub-paragraphs a, d, e, f, g, h

Paragraph 2

Paragraph 3

- In Article 13 :

Paragraph 2, sub-paragraphs c, e

- In Article 14 :

sub-paragraph b

The above-mentioned paragraphs and sub-paragraphs shall, in accordance with Article 3, paragraph 1, apply to the Sami language.

**Period covered: 01/03/1998 –**

Articles concerned: 9, 8, 3, 2, 14, 13, 12, 11, 10



**Poland**

**Declaration contained in the instrument of ratification deposited on 12 February 2009 – Or. Engl.**

The Republic of Poland declares, in accordance with Article 3, paragraph 1, of the European Charter for Regional or Minority Languages that, within the meaning of the Charter, minorities languages in the Republic of Poland are: Belorussian, Czech, Hebrew, Yiddish, Karaim, Kashub, Lithuanian, Lemko, German, Armenian, Romani, Russian, Slovak, Tatar and Ukrainian.

The regional language is the Kashub language. The national minorities languages are Belorussian, Czech, Hebrew, Yiddish, Lithuanian, German, Armenian, Russian, Slovak and Ukrainian. The ethnic minorities languages are Karaim, Lemko, Romani and Tatar. The non-territorial languages are Hebrew, Yiddish, Karaim, Armenian and Romani.

**Period covered: 01/06/2009 –**

Articles concerned : 3

**Declaration contained in the instrument of ratification deposited on 12 February 2009 – Or. Engl.**

The Republic of Poland declares, in accordance with Article 2, paragraph 2 of the Charter, that the following provisions of Part III of the Charter will be applied for the languages listed above:

- Article 8

Paragraph 1 a (i), b (i), c (i), d (iii), e (ii), g, h, i,

Paragraph 2;

- Article 9

Paragraph 2 a;

- Article 10

Paragraph 2 b, g,

Paragraph 5;

- Article 11

Paragraph 1 a (ii), (iii), b (ii), c (ii), d, e (i), f (ii), g,

Paragraph 2,

Paragraph 3;

- Article 12

Paragraph 1 a, b, c, d, e, f, g,

Paragraph 2,

Paragraph 3;

- Article 13

Paragraph 1 b, c, d,

Paragraph 2 b;

- Article 14

Subparagraphs a, b.

**Period covered: 01/06/2009 –**

Articles concerned: 2

**Declaration contained in the instrument of ratification deposited on  
12 February 2009 – Or. Engl.**

The Republic of Poland declares that it shall apply the Charter in accordance with the Act on national and ethnic minorities and on regional language, dated 6 January 2005.

**Period covered: 01/06/2009 –**

Articles concerned: 1



## Romania

### **Declaration contained in the instrument of ratification deposited on 29 January 2008 – Or. Engl.**

Romania declares that the provisions of Article 9 of the Charter shall apply according to the stipulations of Article 128 of the Romanian Constitution, republished, as well as of Article 14 of the Law on the judicial organization no. 304 of 2004, republished with subsequent completions and modifications.

**Period covered: 01/05/2008 –**

Articles concerned: 9

### **Declaration contained in the instrument of ratification deposited on 29 January 2008 – Or. Engl.**

Romania declares that the phrase "*number considered sufficient*" provided for by Article 8, paragraph 1, sub-paragraph a(iii), of the Charter, means the minimum number of pupils necessary to establish a classroom or group, according to the provisions of Article 158 of the Educational Law no. 84 of 1995, republished with subsequent completions and modifications.

**Period covered: 01/05/2008 –**

Articles concerned: 8

### **Declaration contained in the instrument of ratification deposited on 29 January 2008 – Or. Engl.**

Romania declares that:

1. The provisions of the Charter shall apply to the following minority languages used on the territory of Romania:

- a) Albanian language;
- b) Armenian language;
- c) Bulgarian language;
- d) Czech language;
- e) Croatian language;
- f) German language;
- g) Greek language;
- h) Italian language;
- i) Yiddish language;
- j) Macedonian language;

- k) Hungarian language;
- l) Polish language;
- m) Romany language;
- n) Russian language;
- o) Ruthenian language;
- p) Serbian language;
- q) Slovak language;
- r) Tatar language;
- s) Turkish language;
- s) Ukrainian language.

2. For the purpose of the Romanian law, the regional or minority languages refer to the languages of the national minorities.

**Period covered: 01/05/2008 –**

Articles concerned: 3

**Declaration contained in the instrument of ratification deposited on 29 January 2008 – Or. Engl.**

Romania declares that, in accordance with Article 2, paragraph 2, and Article 3, paragraph 1, of the Charter, the following provisions included in Part III of the Charter shall apply to the following national minorities languages:

a) Bulgarian language:

- Article 8 – Education:

paragraph 1, sub-paragraphs a(ii), b(ii), c(iii), d(iv), e(ii), g, h, i;  
paragraph 2;

- Article 9 – Justice:

paragraph 1, sub-paragraphs a(ii), a(iii), b(ii), b(iii), c(ii), c(iii), d;  
paragraph 2, sub-paragraph a;  
paragraph 3;

- Article 10 – Administrative authorities and public services:

paragraph 1, sub-paragraphs a(ii), a(iii), a(iv), a(v);  
paragraph 2, sub-paragraphs b, c, d, e, f, g;  
paragraph 3, sub-paragraphs a, b, c;  
paragraph 4, sub-paragraphs b, c;  
paragraph 5;

- Article 11 – Media:

paragraph 1, sub-paragraphs a(iii), b(ii), c(ii), d, e(i), g;  
paragraph 2;  
paragraph 3;

- Article 12 – Cultural activities and facilities:

paragraph 1;  
paragraph 2;  
paragraph 3;

- Article 13 – Economic and social life:

paragraph 1, sub-paragraphs a, b;

- Article 14 – Transfrontier exchanges:

paragraph a;  
paragraph b;

b) Czech language:

- Article 8 – Education:

paragraph 1, sub-paragraphs a(ii), b(ii), c(iii), d(iv), g, i;  
paragraph 2;

- Article 9 – Justice:

paragraph 1, sub-paragraphs a(ii), a(iii), b(ii), b(iii), c(ii), c(iii), d;  
paragraph 2, sub-paragraph a;  
paragraph 3;

- Article 10 – Administrative authorities and public services:

paragraph 1, sub-paragraphs a(ii), a(iii), a(iv), a(v);  
paragraph 2, sub-paragraphs b, c, d, e, f, g;  
paragraph 3, sub-paragraphs a, b, c;  
paragraph 4, sub-paragraphs b, c;  
paragraph 5;

- Article 11 – Media:

paragraph 1, sub-paragraphs a(iii), b(ii), c(ii), d, e(i), g;  
paragraph 2;  
paragraph 3;

- Article 12 – Cultural activities and facilities:

paragraph 1;

paragraph 2;

paragraph 3;

- Article 13 – Economic and social life:

paragraph 1, sub-paragraphs a, b;

- Article 14 – Transfrontier exchanges:

paragraph a;

paragraph b;

c) Croatian language:

- Article 8 – Education:

paragraph 1, sub-paragraphs a(i), b(i), c(ii), e(iii), g, h, i;

paragraph 2;

- Article 9 – Justice:

paragraph 1, sub-paragraphs a(ii), a(iii), b(ii), b(iii), c(ii), c(iii), d;

paragraph 2, sub-paragraph a;

paragraph 3;

- Article 10 – Administrative authorities and public services:

paragraph 1, sub-paragraphs a(ii), a(iii), a(iv), a(v);

paragraph 2, sub-paragraphs b, d, f, g;

paragraph 3, sub-paragraphs a, b;

paragraph 4, sub-paragraphs b, c;

paragraph 5;

- Article 11 – Media:

paragraph 1, sub-paragraphs a(iii), c(ii), d, e(i), g;

paragraph 2;

- Article 12 – Cultural activities and facilities:

paragraph 1;

paragraph 2;

paragraph 3;

- Article 13 – Economic and social life:

paragraph 1, sub-paragraphs a, b;

- Article 14 – Transfrontier exchanges:

paragraph a;

paragraph b;

d) German language:

- Article 8 – Education:

paragraph 1, sub-paragraphs a(i), b(i), c(i), d(i), e(i), f(iii), g, h, i;  
paragraph 2;

- Article 9 – Justice:

paragraph 1, sub-paragraphs a(ii), a(iii), b(ii), b(iii), c(ii), c(iii), d;  
paragraph 2, sub-paragraph a;  
paragraph 3;

- Article 10 – Administrative authorities and public services:

paragraph 1, sub-paragraphs a(ii), a(iii), a(iv), a(v), b, c;  
paragraph 2, sub-paragraphs b, c, d, e, f, g;  
paragraph 3, sub-paragraphs a, b, c;  
paragraph 4, sub-paragraphs b, c;  
paragraph 5;

- Article 11 – Media:

paragraph 1, sub-paragraphs a(iii), b(ii), d, e(i), f(i), g;  
paragraph 2;  
paragraph 3;

- Article 12 – Cultural activities and facilities:

paragraph 1;  
paragraph 2;  
paragraph 3;

- Article 13 – Economic and social life:

paragraph 1, sub-paragraphs a, b, c;  
paragraph 2, sub-paragraphs c, d, e;

- Article 14 – Transfrontier exchanges:

paragraph a;  
paragraph b;

e) Hungarian language:

- Article 8 – Education:

paragraph 1, sub-paragraphs a(i), b(i), c(i), d(i), e(i), f(i), g, h, i;

paragraph 2;

- Article 9 – Justice:

paragraph 1, sub-paragraphs a(ii), a(iii), b(ii), b(iii), c(ii), c(iii), d;

paragraph 2, sub-paragraph a;

paragraph 3;

- Article 10 – Administrative authorities and public services:

paragraph 1, sub-paragraphs a(ii), a(iii), a(iv), a(v), b, c;

paragraph 2, sub-paragraphs b, c, d, e, f, g;

paragraph 3;

paragraph 4, sub-paragraphs b, c;

paragraph 5;

- Article 11 – Media:

paragraph 1, sub-paragraphs a(ii), b(i), c(i), d, e(i), f(i), g;

paragraph 2;

paragraph 3;

- Article 12 – Cultural activities and facilities:

paragraph 1;

paragraph 2;

paragraph 3;

- Article 13 – Economic and social life:

paragraph 1;

paragraph 2, sub-paragraphs c, d, e;

- Article 14 – Transfrontier exchanges:

paragraph a;

paragraph b;

f) Russian language:

- Article 8 – Education:

paragraph 1, sub-paragraphs a(iii), b(iii), c(iii), d(iv), e(ii), f(iii), g, h, i;

paragraph 2;

- Article 9 – Justice:

paragraph 1, sub-paragraphs a(ii), a(iii), b(ii), b(iii), c(ii), c(iii), d;

paragraph 2, sub-paragraph a;

paragraph 3;

- Article 10 – Administrative authorities and public services:

paragraph 1, sub-paragraphs a(ii), a(iii), a(iv), a(v);

paragraph 2, sub-paragraphs b, d, f, g;

paragraph 3, sub-paragraphs a, b;

paragraph 4, sub-paragraphs b, c;

paragraph 5;

- Article 11 – Media:

paragraph 1, sub-paragraphs a(iii), b(ii), c(ii), d, e(i), g;

paragraph 2;

paragraph 3;

- Article 12 – Cultural activities and facilities:

paragraph 1;

paragraph 2;

paragraph 3;

- Article 13 – Economic and social life:

paragraph 1, sub-paragraphs a, b;

- Article 14 – Transfrontier exchanges:

paragraph a;

paragraph b;

g) Serbian language:

- Article 8 – Education:

paragraph 1, sub-paragraphs a(ii), b(i), c(i), d(iv), e(ii), g, h, i;

- Article 9 – Justice:

paragraph 1, sub-paragraphs a(ii), a(iii), b(ii), b(iii), c(ii), c(iii), d;

paragraph 2, sub-paragraph a;

paragraph 3;

- Article 10 – Administrative authorities and public services:

paragraph 1, sub-paragraphs a(ii), a(iii), a(iv), a(v);

paragraph 2, sub-paragraphs b, d, f, g;

paragraph 3, sub-paragraphs a, b;

paragraph 4, sub-paragraphs b, c;

paragraph 5;

- Article 11 – Media:

paragraph 1, sub-paragraphs a(iii), b(ii), c(ii), d, e(i), g;

paragraph 2;

paragraph 3;

- Article 12 – Cultural activities and facilities:

paragraph 1;

paragraph 2;

paragraph 3;

- Article 13 – Economic and social life:

paragraph 1, sub-paragraphs a, b;

- Article 14 – Transfrontier exchanges:

paragraph a;

paragraph b;

h) Slovak language:

- Article 8 – Education:

paragraph 1, sub-paragraphs a(i), b(i), c(i), d(iv), e(ii), g, h, i;

paragraph 2;

- Article 9 – Justice:

paragraph 1, sub-paragraphs a(ii), a(iii), b(ii), b(iii), c(ii), c(iii), d;

paragraph 2, sub-paragraph a;

paragraph 3;

- Article 10 – Administrative authorities and public services:

paragraph 1, sub-paragraphs a(ii), a(iii), a(iv), a(v);

paragraph 2, sub-paragraphs b, d, f, g;

paragraph 3, sub-paragraphs a, b;

paragraph 4, sub-paragraphs b, c;

paragraph 5;

- Article 11 – Media:

paragraph 1, sub-paragraphs a(iii), b(ii), c(ii), d, e(i), g;

paragraph 2;

paragraph 3;

- Article 12 – Cultural activities and facilities:

paragraph 1;

paragraph 2;

paragraph 3;

- Article 13 – Economic and social life:

paragraph 1, sub-paragraphs a, b;

- Article 14 – Transfrontier exchanges:

paragraph a;

paragraph b;

i) Turkish language:

- Article 8 – Education:

paragraph 1, sub-paragraphs a(i), b(i), c(i), d(iv), e(ii), f(iii), g, h, i;

paragraph 2;

- Article 9 – Justice:

paragraph 1, sub-paragraphs a(ii), a(iii), b(ii), b(iii), c(ii), c(iii), d;

paragraph 2, sub-paragraph a;

paragraph 3;

- Article 10 – Administrative authorities and public services:

paragraph 1, sub-paragraphs a(ii), a(iii), a(iv), a(v);

paragraph 2, sub-paragraphs b, d, e, f, g;

paragraph 3;

paragraph 4, sub-paragraphs b, c;

paragraph 5;

- Article 11 – Media:

paragraph 1, sub-paragraphs a(iii), b(ii), c(ii), d, e(i), g;

paragraph 2;

paragraph 3;

- Article 12 – Cultural activities and facilities:

paragraph 1;

paragraph 2;

paragraph 3;

- Article 13 – Economic and social life:

paragraph 1, sub-paragraph b;

- Article 14 – Transfrontier exchanges:  
paragraph a;  
paragraph b;
- j) Ukrainian language:
  - Article 8 – Education:  
paragraph 1, sub-paragraphs a(i), b(i), c(i), d(iv), e(iii), f(iii), g, h, i;  
paragraph 2;
  - Article 9 – Justice:  
paragraph 1, sub-paragraphs a(ii), a(iii), b(ii), b(iii), c(ii), c(iii), d;  
paragraph 2, sub-paragraph a;  
paragraph 3;
  - Article 10 – Administrative authorities and public services:  
paragraph 1, sub-paragraphs a(ii), a(iii), a(iv), a(v);  
paragraph 2, sub-paragraphs b, d, e, f, g;  
paragraph 3, sub-paragraphs a, b, c;  
paragraph 4, sub-paragraphs b, c;  
paragraph 5;
  - Article 11 – Media:  
paragraph 1, sub-paragraphs a(iii), b(ii), c(ii), d, e(i), g;  
paragraph 2;  
paragraph 3;
  - Article 12 – Cultural activities and facilities:  
paragraph 1;  
paragraph 2;  
paragraph 3;
  - Article 13 – Economic and social life:  
paragraph 1, sub-paragraph b;
  - Article 14 – Transfrontier exchanges:  
paragraph a;  
paragraph b-

**Period covered: 01/05/2008 –**

**Articles concerned: 3, 2**

**Declaration contained in the instrument of ratification deposited on 29 January 2008 – Or. Engl.**

Romania declares that, in accordance with Article 2, paragraph 1, of the Charter, the provisions of Part II of the Charter shall apply to the following regional or minority languages:

- a) Albanian language;
- b) Armenian language;
- c) Greek language;
- d) Italian language;
- e) Yiddish language;
- f) Macedonian language;
- g) Polish language;
- h) Romany language;
- i) Ruthenian language;
- j) Tatar language.

**Period covered: 01/05/2008 –**

Articles concerned: 2

**Declaration contained in the instrument of ratification deposited on 29 January 2008 – Or. Engl.**

Romania declares that the provisions of Article 11, paragraph 1, sub-paragraph f(i), of the Charter shall apply according to the provisions of the Law on the organization and functioning of the Romanian Radio Company and the Romanian Television Company no. 41 of 1994.

**Period covered: 01/05/2008 –**

Articles concerned: 11

**Declaration contained in the instrument of ratification deposited on 29 January 2008 – Or. Engl.**

Romania declares that the provisions of Article 10 of the Charter shall apply according to the stipulations of the Romanian Constitution, republished, and the Local Public Administration Law no. 215 of 2001, republished, as well as of the Framework Convention on the Protection of National Minorities, adopted at Strasbourg, on 1 February 1995, ratified by Romania by the Law no. 33 of 1995.

**Period covered: 01/05/2008 –**

Articles concerned: 10

**Declaration contained in the instrument of ratification deposited on 29 January 2008 – Or. Engl.**

Romania declares that the phrase “*territory in which the regional or minority languages is used*” provided for by Article 1, paragraph b, of the Charter, means the administrative-territorial units in which a regional or minority language is used by at least 20% of the population of these administrative-territorial units.

Period covered: 01/05/2008 –

Articles concerned : 1



**Serbia**

**Declaration contained in the instrument of ratification deposited on 15 February 2006 – Or. Engl.**

As to Article 1.b of the Charter, Serbia and Montenegro declares that the term “territory in which the regional or minority languages is used” will refer to areas in which regional and minority languages are in official use in line with the national legislation.

Period covered: 01/06/2006 –

Articles concerned: 2

**Declaration contained in the instrument of ratification deposited on 15 February 2006 – Or. Engl. – and updated by a letter from the Permanent Representative of Serbia, dated 20 July 2006, registered at the Secretariat General on 20 July 2006 – Or. angl.**

In accordance with Article 2, paragraph 2, of the Charter, Serbia and Montenegro has accepted that the following provisions be applied :

- in the Republic of Serbia, for the Albanian, Bosnian, Bulgarian, Hungarian, Romany, Romanian, Ruthenian, Slovakian, Ukrainian and Croatian languages :

Article 8, paragraph 1 a (iii), a (iv), b (iv), c (iv), d (iv), e (ii), f (iii), g;

Article 9, paragraph 1 a (ii), a (iii), b (ii), c (ii), d, paragraph 2 a, b, c, paragraph 3;

Article 10, paragraph 1 a (iv), a (v), c, paragraph 2 b, c, d, g, paragraph 3 c, paragraph 4 c, paragraph 5;

Article 11, paragraph 1 a (iii), b (ii), c (ii), d, e (i), f (ii), paragraph 2, paragraph 3;

Article 12, paragraph 1 a, b, c, f, paragraph 2;

Article 13, paragraph 1 c;

Article 14 a, b.

Period covered: 01/06/2006 –

Articles concerned: 1



## Slovak Republic

**Declaration contained in letter from the Permanent Representative of the Slovak Republic, dated 25 November 2015, registered at the Secretariat General on 27 November 2015 – Or. Engl.**

The Slovak Republic declares, in accordance with Article 2, paragraph 1, of the Charter that it recognises that the Russian and Serbian languages meet the Charter's definition of a minority language for the purposes of Part II of the Charter.

Period covered: 27/11/2015 –

Articles concerned: 2

**Declaration contained in the full powers handed to the Secretary General at the time of signature of the instrument, on 20 February 2001 – Or. Engl., and confirmed at the time of deposit of the instrument of ratification, on 5 September 2001 – Or. Engl.**

The Slovak Republic interprets Article 8, paragraph 1 e i, as relating to the training of teachers, theologians, cultural and education workers without prejudice to the teaching in the official language, it being understood that the majority of teaching subjects, including the profile ones, will be conducted in the minority language, respecting the legislation of the Slovak Republic in the field of higher education institutions.

Period covered: 01/01/2002 –

Articles concerned: 8

**Declaration contained in the full powers handed to the Secretary General at the time of signature of the instrument, on 20 February 2001 – Or. Engl., and confirmed at the time of deposit of the instrument of ratification, on 5 September 2001 – Or. Engl.**

The Slovak Republic declares that, in accordance with Article 3, paragraph 1, of the Charter, the "regional or minority languages" in the Slovak Republic are the following languages : Bulgarian, Croatian, Czech, German, Hungarian,

Polish, Roma, Ruthenian and Ukrainian. The application of the provisions of the Charter in accordance with Article 2, paragraph 2, shall be as follows :

Bulgarian, Croatian, Czech, German, Polish and Roma languages :

Article 8, paragraph 1 a iii; b iii; c iii; d iii; e ii; f ii; g; h; i;

Article 9, paragraph 1 a ii/iii; b ii/iii; c ii/iii; d;

Article 10, paragraph 1 a iii/iv; paragraph 2 b; c; d; f; g; paragraph 3 c; paragraph 4 a; c; paragraph 5;

Article 11, paragraph 1 a iii; b ii; c ii; d; e i; f ii; paragraph 2; paragraph 3;

Article 12, paragraph 1 a; b; c; d; e; f; g; paragraph 2; paragraph 3;

Article 13, paragraph 1 a; b; c; paragraph 2 c;

Article 14 a ;

Article 14 b, only for the Czech, German and Polish languages.

Ruthenian and Ukrainian languages:

Article 8, paragraph 1 a ii; b ii, c ii, d ii, e ii, f ii; g; h; i;

Article 9, paragraph 1 a ii/iii; b ii/iii; c ii/iii; d; paragraph 3;

Article 10, paragraph 1 a iii/iv; paragraph 2 b; c; d; f; g; paragraph 3 c; paragraph 4 a; c; paragraph 5;

Article 11, paragraph 1 a iii; b ii; c ii; d; e i; f ii; paragraph 2; paragraph 3;

Article 12, paragraph 1 a; b; c; d; e; f; g; paragraph 2; paragraph 3;

Article 13, paragraph 1 a; b; c; paragraph 2 c;

Article 14 a;

Article 14 b, only for the Ukrainian language.

Hungarian language:

Article 8, paragraph 1 a i; b i; c i; d i; e i; f i; g; h; i;

Article 9, paragraph 1 a ii/iii; b ii/iii; c ii/iii; d; paragraph 2 a; paragraph 3;

Article 10, paragraph 1 a ii; paragraph 2 a; b; c; d; f; g; paragraph 3 b; c; paragraph 4 a; c; paragraph 5;

Article 11, paragraph 1 a iii; b ii; c ii; d; e i; f i; paragraph 2; paragraph 3;

Article 12, paragraph 1 a; b; c; d; e; f; g; paragraph 2; paragraph 3;

Article 13, paragraph 1 a; b; c; paragraph 2 c;

Article 14 a; b.

**Period covered: 01/01/2002 –**

Articles concerned: 3, 2

**Declaration contained in the full powers handed to the Secretary General at the time of signature of the instrument, on 20 February 2001 – Or. Engl., and confirmed at the time of deposit of the instrument of ratification, on 5 September 2001 – Or. Engl.**

The Slovak Republic declares that Article 12, paragraph 1 e, and Article 13, paragraph 2 c, shall be applied provided that the effects of their application are not in conflict with other provisions of the legal order of the Slovak Republic on prohibition of discrimination of the Slovak Republic citizens in labour law relations on the territory of the Slovak Republic.

**Period covered: 01/01/2002 –**

Articles concerned: 13, 12

**Declaration contained in the full powers handed to the Secretary General at the time of signature of the instrument, on 20 February 2001 – Or. Engl., and confirmed at the time of deposit of the instrument of ratification, on 5 September 2001 – Or. Engl.**

The Slovak Republic declares, pursuant to Article 1, paragraph b, of the Charter, that the term “territory in which the regional or minority language is used”, also regarding the application of Article 10, shall refer to the municipalities in which the citizens of the Slovak Republic belonging to national minorities form at least 20 % of the population, according to the Regulation of the Government of the Slovak Republic N. 221/1999 Coll., dated 25 August 1999.

**Period covered: 01/01/2002 –**

Articles concerned: 10, 1

**Declaration contained in the full powers handed to the Secretary General at the time of signature of the instrument, on 20 February 2001 – Or. Engl., and confirmed at the time of deposit of the instrument of ratification, on 5 September 2001 – Or. Engl.**

The Slovak Republic declares that Article 10, paragraph 1 a ii, Article 10, paragraph 2 a, and Article 10, paragraph 3 b, shall be interpreted without prejudice to the use of the official language pursuant to the Constitution of the Slovak Republic and in accordance with the legal order of the Slovak Republic.

**Period covered: 01/01/2002 –**

Articles concerned: 10

**Declaration contained in the full powers handed to the Secretary General at the time of signature of the instrument, on 20 February 2001 – Or. Engl., and confirmed at the time of deposit of the instrument of ratification, on 5 September 2001 – Or. Engl.**

The Slovak Republic declares that it shall apply the Charter in accordance with the Constitution of the Slovak Republic and the relevant international conventions ensuring the equality of all citizens before the law without distinction as to origin, race or nationality in order to promote the European language heritage without prejudice to the use of the official language.

**Period covered: 01/01/2002 –**

Articles concerned: -



## **Slovenia**

**Declaration contained in a Note verbale from the Permanent Representation of Slovenia, dated 26 June 2007, registered at the Secretariat General on 27 June 2007 – Or. Engl.**

The Republic of Slovenia declares that it accepts several other obligations of the Charter not already specified in a Note verbale handed to the Secretary General at the time of deposit of the instrument of ratification. At the same time the Republic of Slovenia specifies the paragraphs or sub-paragraphs chosen in accordance with Article 2, paragraph 2, and Article 3, paragraph 2, of the Charter, from among the provisions of Part III of the Charter it applies in respect of each of the two languages it declared are considered as regional or minority languages in the territory of the Republic of Slovenia, respectively. In accordance with Article 3, paragraph 3, these undertakings are deemed to form an integral part of the ratification and have the same effect as from their date of notification. Within the meaning of the above-said, the Republic of Slovenia replaces the declaration contained in a Note verbale, dated 19 September 2000, with the following declaration:

“The Republic of Slovenia declares that the Italian and Hungarian languages are considered as regional or minority languages in the territory of the Republic of Slovenia within the meaning of the European Charter for Regional or Minority Languages. In accordance with Article 2, paragraph 2, of the Charter, the Republic of Slovenia will apply to these two languages the following provisions of the Part III of the Charter :

- Article 8

For the Italian language:

Paragraph 1, sub-paragraphs a (i), b (i), c (i), d (i), e (iii), f (iii), g, h, i

Paragraph 2

For the Hungarian language :

Paragraph 1, sub-paragraphs a (ii), b (ii), c (ii), d (ii), e (iii), f (iii), g, h, i

Paragraph 2

- Article 9

For the Italian and Hungarian languages:

Paragraph 1, sub-paragraphs a, b, c, d

Paragraph 2, sub-paragraph a

- Article 10

For the Italian and Hungarian languages:

Paragraph 1, sub-paragraphs a (i), b, c

Paragraph 2

Paragraph 3, sub-paragraph a

Paragraph 4

Paragraph 5

- Article 11

For the Italian and Hungarian languages:

Paragraph 1, sub-paragraphs a (i), e (i)

Paragraph 2

Paragraph 3

- Article 12

For the Italian and Hungarian languages:

Paragraph 1, sub-paragraphs a, d, e, f

Paragraph 2

Paragraph 3

- Article 13

For the Italian and Hungarian languages:

Paragraph 1

Paragraph 2

- Article 14

For the Italian and Hungarian languages:

Paragraph a

Paragraph b”.

**Period covered: 27/06/2007 –**

Articles concerned: 2

**Declaration contained in a Note Verbale from the Permanent Representation of Slovenia, dated 19 September 2000, handed to the Secretary General at the time of deposit of the instrument of ratification, on 4 October 2000 – Or. Fr.**

In accordance with Article 7, paragraph 5, of the Charter, the Republic of Slovenia will apply *mutatis mutandis* the provisions of Article 7, paragraphs 1 to 4, also to the romani language.

**Period covered: 01/01/2001 –**

Articles concerned : 7



## Spain

**Declarations contained in the instrument of ratification deposited on 9 April 2001 – Or. Spa.**

Spain declares that, for the purposes of the mentioned articles, are considered as regional or minority languages, the languages recognised as official languages in the Statutes of Autonomy of the Autonomous Communities of the Basque Country, Catalonia, Balearic Islands, Galicia, Valencia and Navarra. For the same purposes, Spain also declares that the languages protected by the Statutes of Autonomy in the territories where they are traditionally spoken are also considered as regional or minority languages.

The following provisions of the Part III of the Charter will apply to the languages mentioned in the first paragraph:

- Article 8:

paragraph 1 sub-paragraphs a(i), b(i), c(i), d(i), e(iii), f(i), g, h, i.

paragraph 2.

- Article 9:

paragraph 1, sub-paragraphs a(i), a(ii), a(iii), a(iv), b(i), b(ii), b(iii), c(i), c(ii), c(iii), d.

paragraph 2, sub-paragraph a.

paragraph 3.

- Article 10:

paragraph 1, sub-paragraphs a(i), b, c.

paragraph 2, sub-paragraphs a, b, c, d, e, f, g.

paragraph 3, sub-paragraphs a, b.

paragraph 4, sub-paragraphs a, b, c.

paragraph 5.

- Article 11:

paragraph 1, sub-paragraphs a(i), b(i), c(i), d, e(i), f(ii), g.

paragraph 2.

paragraph 3.

- Article 12:

paragraph 1, sub-paragraphs a, b, c, d, e, f, g, h.

paragraph 2.

paragraph 3.

- Article 13:

paragraph 1, sub-paragraphs a, b, c, d.

paragraph 2, sub-paragraphs a, b, c, d, e.

- Article 14:

sub-paragraph a.

sub-paragraph b.

All the provisions of Part III of the Charter, which can reasonably apply according to the objectives and principles laid down in Article 7, will apply to the languages mentioned in the second paragraph.

**Period covered: 01/08/2001 –**

Articles concerned: 7, 3, 2



**Sweden**

**Declaration contained in the instrument of ratification deposited on 9 February 2000 – Or. Eng.**

Sami, Finnish and Meänkieli (Tornedal Finnish) are regional or minority languages in Sweden. Sweden's undertakings pursuant to Article 2, paragraph 2 with respect to these languages are described in the appendix.

Romani Chib and Yiddish shall be regarded as non-territorial minority languages in Sweden when the Charter is applied

## **APPENDIX**

### **The extent of Sweden's undertakings according to Part III of the European Charter for Regional or Minority Languages.**

The followings paragraphs and sub-paragraphs under Article 8 shall apply to Sami, Finnish and Meänkieli:

8.1.a.iii

8.1.b.iv

8.1.c.iv

8.1.d.iv

8.1.e.iii

8.1.f.iii

8.1.g

8.1.h

8.1.i

8.2.

The following paragraphs and sub-paragraphs under Article 9 shall apply to Sami, Finnish and Meänkieli:

9.1.a.ii

9.1.a.iii

9.1.a.iv

9.1.b.ii

9.1.b.iii

9.1.c.ii

9.1.c.iii

9.1.d

9.2

9.3

The following paragraphs and sub-paragraphs under Article 10 shall apply to Sami, Finnish and Meänkieli:

10.1.a.iii

10.1.a.v

10.1.c.

- 10.2.b.
- 10.2.c.
- 10.2.d.
- 10.2.g.
- 10.4.a.
- 10.5

The following paragraphs and sub-paragraphs under Article 11 shall apply to Sami, Finnish and Meänkieli:

- 11.1.a.iii
- 11.1.d
- 11.1.e.i
- 11.1.f.ii
- 11.2.

In addition, 11.1.c.i will apply with respect to Finnish.

The following paragraphs under Article 12 shall apply to Sami, Finnish and Meänkieli:

- 12.1.a
- 12.1.b
- 12.1.d
- 12.1.f
- 12.1.g
- 12.2.

In addition, 12.1.e will apply to Sami, and 12.1.c and 12.1.h to Finnish and Sami.

The following paragraphs under Article 13 shall apply to Sami, Finnish and Meänkieli:

- 13.1.a

The following paragraphs under Article 14 shall apply to Sami, Finnish and Meänkieli:

- 14.a
- 14.b

This means that a total of 45 paragraphs or sub-paragraphs in part III of the Charter shall apply to Sami and Finnish, and 42 paragraphs or sub-paragraphs to Meänkieli.

**Period covered: 01/06/2000 –**

Articles concerned: 9, 8, 2, 14, 13, 12, 11, 10



## Switzerland

### **Declaration contained in the instrument of ratification deposited on 23 December 1997 – Or. Fr.**

The Swiss Federal Council declares, in accordance with Article 3, paragraph 1, of the Charter, that in Switzerland Romansh and Italian are the less widely used official languages to which the following paragraphs chosen in accordance with Article 2, paragraph 2, of the Charter, shall apply:

#### **a. Romansh**

- Article 8: (education)

Paragraph 1, sub-paragraphs a (iv), b (i), c (iii), d (iii), e (ii), f (iii), g, h, i

- Article 9 (judicial authorities)

Paragraph 1, sub-paragraphs a (ii), a (iii), b (ii), b (iii), c (ii)

Paragraph 2, sub-paragraph a

Paragraph 3

- Article 10 (administrative authorities and public services)

Paragraph 1, sub-paragraphs a (i), b, c

Paragraph 2, sub-paragraphs a, b, c, d, e, f, g

Paragraph 3, sub-paragraph b

Paragraph 4, sub-paragraphs a, c

Paragraph 5

- Article 11 (media)

Paragraph 1, sub-paragraphs a (iii), b (i), c (ii), e (i), f (i)

Paragraph 3

- Article 12 (cultural activities and facilities)

Paragraph 1, sub-paragraphs a, b, c, e, f, g, h

Paragraph 2

Paragraph 3

- Article 13 (economic and social life)

Paragraph 1, sub-paragraph d

Paragraph 2, sub-paragraph b

- Article 14 (transfrontier exchanges)

Sub-paragraph a

Sub-paragraph b.

## **b. Italian**

- Article 8 (education)

Paragraph 1, sub-paragraphs a (i), a (iv), b (i), c (i), c (ii), d (i), d (iii), e (ii), f (i), f (iii), g, h, i

- Article 9 (judicial authorities)

Paragraph 1, sub-paragraphs a (i), a (ii), a (iii), b (i), b (ii), b (iii), c (i), c (ii), d

Paragraph 2, sub-paragraph a

Paragraph 3

- Article 10 (administrative authorities and public services)

Paragraph 1, sub-paragraphs a (i), b, c

Paragraph 2, sub-paragraphs a, b, c, d, e, f, g

Paragraph 3, sub-paragraphs a, b

Paragraph 4, sub-paragraphs a, b, c

Paragraph 5

- Article 11 ( media)

Paragraph 1, sub-paragraphs a (i), e (i), g

Paragraph 2

Paragraph 3

- Article 12 (cultural activities and facilities)

Paragraph 1, sub-paragraphs a, b, c, d, e, f, g, h

Paragraph 2

Paragraph 3

- Article 13 (economic and social life)

Paragraph 1, sub-paragraph d

Paragraph 2, sub-paragraph b

- Article 14 (transfrontier exchanges)

Sub-paragraph a

Sub-paragraph b.

**Period covered: 01/04/1998 –**

Articles concerned: 9, 8, 3, 2, 14, 13, 12, 11, 10



## Ukraine

### **Declaration contained in the instrument of ratification deposited on 19 September 2005 – Or. Engl.**

Ukraine declares that the provisions of the Charter shall apply to the languages of the following ethnic minorities of Ukraine : Byelorussian, Bulgarian, Gagauz, Greek, Jewish, Crimean Tatar, Moldavian, German, Polish, Russian, Romanian, Slovak and Hungarian.

**Period covered: 01/01/2006 –**

Articles concerned: 3

### **Declaration contained in the instrument of ratification deposited on 19 September 2005 – Or. Engl.**

Ukraine undertakes obligations under Parts I, II, IV, V of the Charter except paragraph 5 of Article 7 of Part II.

Ukraine declares that the following paragraphs and subparagraphs of Article 8 to 14 of Part III of the Charter shall be applied with respect to each regional language listed above (\*) to which the provisions of the Charter shall apply :

- a. Subparagraphs a (iii), b (iv), c (iv), d (iv), e (iii), f (iii), g, h, i of paragraph 1, and paragraph 2 of Article 8;
- b. Subparagraphs a (iii), b (iii), c (iii) of paragraph 1, subparagraph c of paragraph 2 and paragraph 3 of Article 9;
- c. Subparagraphs a, c, d, e, f, g of paragraph 2, and subparagraph c of paragraph 4 of Article 10;
- d. Subparagraphs a (iii), b (ii), c (ii), d, e (i), g of paragraph 1, paragraph 2 and paragraph 3 of Article 11;
- e. Subparagraphs a, b, c, d, f, g of paragraph 1, paragraph 2 and paragraph 3 of Article 12;
- f. Subparagraphs b and c of paragraph 1 of Article 13;
- g. Subparagraphs a and b of Article 14.

Ukraine declares that, in application of the provisions of the Charter, the measures aimed at the establishment of the Ukrainian language as the official language, its development and functioning in all spheres of social life in the whole territory of Ukraine shall not be construed as preventing or threatening the preservation or development of the languages to which the provisions of the Charter shall apply as stated above (\*).

(\*) [Note by the Secretariat: See the declaration made by Ukraine to Article 3 of the Charter, on 19 September 2005.]

**Period covered: 01/01/2006 –**

Articles concerned: 2



## United Kingdom

**Declaration contained in Note verbale from the Permanent Representation of the United Kingdom, dated 23 December 2020, registered at the Secretariat General on 23 December 2020 – Or. Engl.**

With reference to Part III of the Charter, the Government of the United Kingdom declares in accordance with Article 2, paragraph 2, and Article 3, paragraph 1, of the Charter that it will apply the following provisions for the purposes of Part III of the Charter to the Manx Gaelic language, in respect of the territory of the Isle of Man for the international relations of which the United Kingdom is responsible:

Manx Gaelic language, in respect of the territory of the Isle of Man – 37 paragraphs

- Article 8: Education

Paragraphs 1(a)(iv); 1(b)(i); 1(c)(iii); 1(f)(ii); 1(g); 1(h); 1(i).

Total: 7

- Article 9: Judicial authorities

Paragraph 3

Total: 1

- Article 10: Administrative authorities and public services

Paragraphs 1(a)(v); 1(c); 2(b); 2(g); 4(a); 4(b); 4(c).

Total: 7

- Article 11: Media

Paragraphs 1(a)(iii); 1(b)(ii); 1(c)(ii); 1(d); 1(e)(ii); 1(f)(i); 1(g); 2; 3.

Total: 9

- Article 12: Cultural activities and facilities

Paragraphs 1(a); 1(c); 1(d); 1(e); 1(f); 1(g); 1(h); 3.

Total: 8

- Article 13: Economic and social life  
Paragraphs 1(c); 1(d); 2(a); 2(b).

Total: 4

- Article 14: Transfrontier exchanges  
Paragraph (a).

Total: 1

**Period covered: 23/12/2020 –**

Articles concerned : 3, 2

**Declaration contained in a letter from the Permanent Representative of the United Kingdom, dated 22 April 2003 and registered at the Secretariat General on 23 April 2003 – Or. Engl.**

As a consequence of the extension of the Charter to the Isle of Man, the Manx Gaelic language will be a “regional or minority language” for the purposes of the Charter and accordingly Part II of the Charter will henceforth apply to the Manx Gaelic language.

**Period covered: 23/04/2003 –**

Articles concerned: 2

**Declaration contained in a letter from the Permanent Representative of the United Kingdom, dated 22 April 2003 and registered at the Secretariat General on 23 April 2003 – Or. Engl.**

The Government of the United Kingdom declares that the Charter should extend to the Isle of Man, being a territory for whose international relations the Government of the United Kingdom is responsible.

**Period covered: 23/04/2003 –**

Articles concerned: 1

**Declaration contained in a letter from the Permanent Representative of the United Kingdom, dated 11 March 2003, registered at the Secretariat General on 18 March 2003 – Or. Engl.**

The United Kingdom declares, in accordance with Article 2, paragraph 1, of the Charter that it recognises that Cornish meets the Charter’s definition of a regional or minority language for the purposes of Part II of the Charter.

**Period covered: 18/03/2003 –**

Articles concerned: 2

**Declaration contained in a Note Verbale from the Foreign and Commonwealth Office of the United Kingdom, handed at the time of deposit of the instrument of ratification on 27 March 2001 – Or. Engl.**

a) The United Kingdom declares, in accordance with Article 2, paragraph 2 and Article 3, paragraph 1, of the Charter that it will apply the following provisions for the purposes of Part III of the Charter to Welsh, Scottish-Gaelic and Irish.

**Welsh – 52 paragraphs.**

- Article 8: Education

Paragraphs 1a (i) 1b (i) 1c (i) 1d(iv) 1e (iii) 1f (ii) 1g 1h 1i

Total: 9

- Article 9: Judicial authorities

Paragraphs 1a (ii) 1a (iii) 1b (ii) 1b (iii) 1c (ii) 1c (iii) 1d 2b

Total: 8

- Article 10: Administrative authorities and public services

Paragraphs 1a (i) 1b 1c 2a 2b 2c 2d 2e 2f 2g 3a 4a 4b 5

Total: 14

- Article 11: Media

Paragraphs 1a (i) 1d 1e (i) 1f (ii) 2 3

Total: 6

- Article 12: Cultural activities and facilities

Paragraphs 1a 1b 1c 1d 1e 1f 1g 1h 2 3

Total: 10

- Article 13: Economic and social life

Paragraphs 1a 1c 2b 2c 2e

Total: 5

**Scottish-Gaelic – 39 paragraphs**

- Article 8: Education

Paragraphs 1a (i) 1b (i) 1c (i) 1d(iv) 1e (iii) 1f (iii) 1g 1h 1i 2

Total: 10

- Article 9: Judicial authorities

Paragraph 1b (iii)

Total: 1

- Article 10: Administrative authorities and public services

Paragraphs 1c 2a 2b 2d 2e 2f 2g 5

Total: 8

- Article 11: Media

Paragraphs 1a (ii) 1b (ii) 1c (ii) 1d 1e (ii) 1f (ii) 1g 2

Total: 8

- Article 12: Cultural activities and facilities Paragraphs 1a 1d 1e 1f 1g 1h 2 3

Total: 8

- Article 13: Economic and social life

Paragraphs 1a 1c

Total: 2

- Article 14: Transfrontier exchanges

Paragraphs a b

Total: 2

### **Irish – 30 paragraphs relating to matters which are the responsibility of the devolved administration in Northern Ireland**

- Article 8: Education

Paragraphs 1a (iii) 1b (iv) 1c (iv) 1d(iv) 1e (iii) 1f (ii) 1g 1h

Total: 8

- Article 9: Judicial authorities

Paragraph 3

Total: 1

- Article 10: Administrative authorities and public services

Paragraphs 1a (iv) 1c 2b 2e 2f 2g 3c 4a 5

Total: 9

- Article 11: Media

Paragraphs 1d 1e (i) 1f (ii) 1g

Total: 4

- Article 12: Cultural activities and facilities

Paragraphs 1a 1d 1e 1f 1h 2 3

Total: 7

- Article 13: Economic and social life

Paragraph 1d

Total: 1

**Irish – 6 paragraphs relating to matters which are the responsibility of the UK government in Northern Ireland**

- Article 8: Education

Paragraph 2

Total: 1

- Article 11: Media

Paragraphs 1a (iii) 1b (ii) 2

Total: 3

- Article 14: Transfrontier exchanges

Paragraphs a b

Total: 2

**(Total of 36 paragraphs overall)**

b) The United Kingdom declares, in accordance with Article 2, paragraph 1 of the Charter that it recognises that Scots and Ulster Scots meet the Charter's definition of a regional or minority language for the purposes of Part II of the Charter.

**Period covered: 01/07/2001 –**

Articles concerned: 3, 2

**Declaration contained in a Note Verbale from the Foreign and Commonwealth Office of the United Kingdom, handed at the time of deposit of the instrument of ratification on 27 March 2001 – Or. Engl.**

The United Kingdom declares that the Charter applies to mainland Britain and Northern Ireland.

**Period covered: 01/07/2001 –**

Articles concerned: 1

*Source: Treaty Office on [www.coe.int/en/web/conventions/home](http://www.coe.int/en/web/conventions/home)*



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